2009 Coastal Estuarine Land Conservation Program

Kiket Island Addition to Deception Pass State Park

Skagit County, Washington

Kiket Island Phase I Acquisition: Looking east from Flagstaff Island to Kiket Island

SUBMITTED BY: Washington State Parks and Recreation Commission
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2009 CELCP Application

Kiket Island Addition to Deception Pass State Park
Skagit County, Washington

Project Description/Scope of Work

Washington State Parks is working with The Trust for Public Land and several other non-profit and governmental organizations to secure funding to purchase Kiket Island (fee simple) in North Skagit Bay, Skagit County, Washington, in order to protect approximately 55 acres of high quality tidelands, shoreline, and associated upland habitat from development, and to expand Deception Pass State Park. Kiket Island's important location and its diverse and largely undisturbed habitats, flora, and fauna, and unique ecological functions make it an ideal addition to Deception Pass State Park.

Project Size and Relationship to the Coast and/or Estuary

Total Acreage Phase I Kiket Island acquisition: 55 acres

Length of Puget Sound Waterfront: 1.25 miles (approx.)

Less than an hour's drive north of Seattle, Kiket Island is near the city of La Conner, in the southwest corner of Skagit County, WA. The property comprises portions of Sections 20 and 21, Township 34 North, Range 2 E.W.M., and is located totally within the boundaries of the Swinomish Indian Reservation. A part of the greater Skagit River Delta, this biologically rich and complex region is characterized by tidal marshes and flats, shrub/scrub wetlands, and prolific agricultural areas. The Delta's river system sustains viable runs of all five species of Pacific salmon. In all, the Delta provides habitat for more than 300 species of fish and wildlife, including eight federally endangered or threatened species. Kiket Island is actually a peninsula, attached to the western shoreline of Fidalgo Island by a narrow strip of land called a tombolo that supports the road access to the Island. The property also includes Flagstaff Island (Flagstaff Point) that is connected to the west end of Kiket Island by another tombolo.

The Kiket Island shorelines, and especially Flagstaff Point, provide sweeping views west toward Deception Pass and Whidbey Island and form the southern boundary of Similk Bay to the north. Overall the Kiket and Flagstaff islands comprise a total of 72 acres and have a combined circumference of more than two miles of intact shoreline supporting a variety of fish, shellfish, and other invertebrate populations. Kiket Island is heavily forested with mature trees interspersed with rocky balds on the southern shoreline. Flagstaff is entirely a rocky bald environment with fragile thin soil supporting a community of native plants unique to this habitat.

Overall the Kiket Island property includes a salt-water lagoon and acres of native eelgrass providing surface for herring spawn and critical refuge to juvenile salmon; valuable forage fish spawning beaches to support the Puget Sound food web; and rocky outcroppings with dense kelp beds adding to the patchwork of estuarine habitats. This nearshore variation enables rich species diversity at Kiket Island, and provides important foraging areas for the many birds, salmon, and marine mammals feeding in the Skagit Bay. The property also includes feeder bluffs that support natural sediment transfer moving west with the currents along the southern shore of the island. These feeder bluffs also provide woody debris that stabilizes the bank on-site and move laterally to support nearby slopes.

While the CELCP application funding will be applied only to the acquisition of the upland areas of the property, Phase I of the Kiket Island acquisition will include a total of 75 acres on the western most side of the peninsula including the following habitat areas:

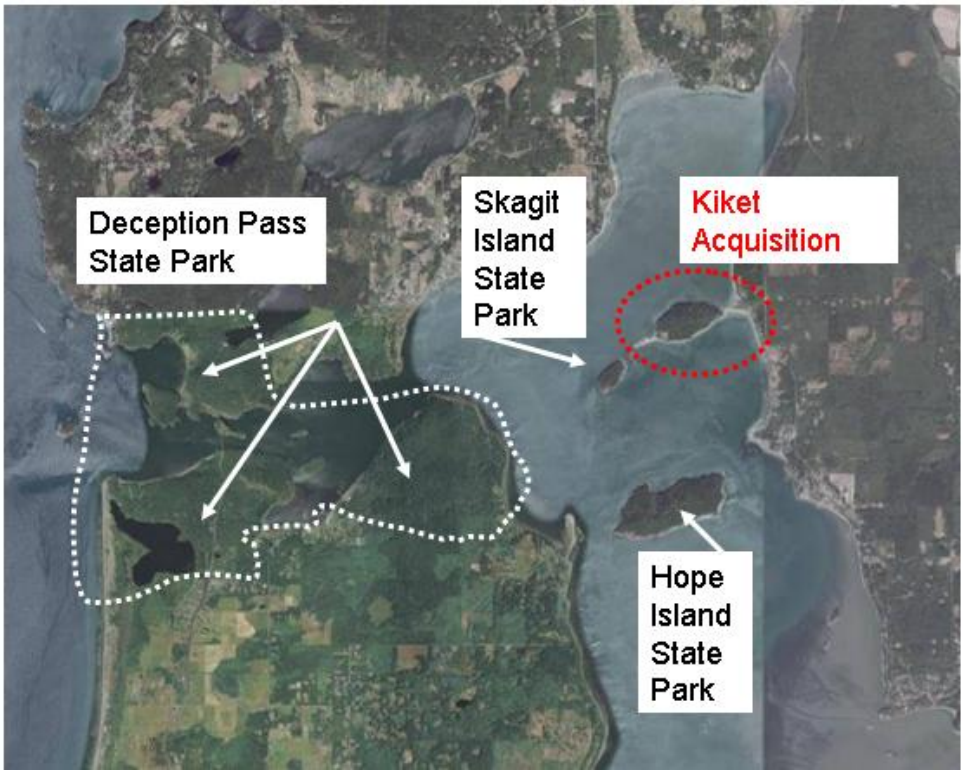
- 20 acres of tidelands and estuarine wetlands associated with the peninsula.
- Approximately 53 acres of mixed deciduous/conifer forested uplands. Kiket Island is heavily forested with mature trees interspersed with balds on the southern shoreline. Flagstaff is

approximately 2 acres, and entirely a bald with a healthy and rare native plant community.

- 1.25 miles of diverse and intact shoreline composed of feeder bluffs, rocky outcrops, low bank forested beach, and tombolo.

Successful completion of Kiket Island Phase I will enable the acquisition of Phase II that will include the following habitat areas:

- Additional tidelands associated with the eastern most portion of Kiket Island.
- Approximately 35 acres of mixed deciduous/conifer forested uplands.
- More than one mile of diverse and intact shoreline composed of feeder bluffs, rocky outcrops, low bank forested beach, and tombolo.
- 4 acres of saltwater lagoon and marshland that provide critical habitat for juvenile endangered salmon.



Legal Rights to Be Acquired

Kiket Island will be acquired and held in fee-simple ownership by the Washington State Parks and Recreation Commission with the intent to expand Deception Pass State Park, increasing public access to the Puget Sound shoreline.

1. Importance and/or relevance of proposed project to the Coastal and Estuarine Land Conservation Plan program goals *(55 points out of 110)*

PRIMARY PURPOSE is **ecological**.
While the primary benefits of the Kiket Island acquisition are ecological in nature, the project also provides substantial conservation, recreation, historical and cultural, and aesthetic values. Bringing Kiket Island into public ownership will enable Washington State Parks to:

- Protect and preserve diverse functioning ecological nearshore habitats for the benefit of wildlife including 9 endangered or threatened species;
- Maintain important nearshore habitat corridors for birds, fish, and marine mammals that migrate through the Skagit Bay waters.
- Expand recreational access to the shoreline for kayaking, beach walking and environmental education;
- Protect water quality of Skagit and Similk bays by removing potential for residential development;
- Safeguard culturally significant sites for the Swinomish Nation; and
- Preserve the natural shoreline and scenic views to the historic Deception Pass Bridge.

(i.) Ecological Values (25 points out of 55)

Habitat types found on Kiket Island include undeveloped, unprotected estuarine habitat important to waterfowl, blue herons, juvenile salmon, shellfish and other aquatic life. The Kiket Island Phase I acquisition project area includes approximately: 20 acres of tidelands with continuous fringe eelgrass beds that provide important habitat structure and are an integral part of the Puget Sound food web, 2 acres of rare rocky bald habitat, and 53 acres of forested uplands that provide additional native plant composition and habitat structural complexity. Overall the Kiket Island acquisition includes the following habitats:

- *Rich & Abundant Tidelands* *(~20 Acres)* The tidelands within the project area are primarily mudflats with some light gravel and sand beaches supporting significant invertebrate, fish, shellfish, and crustacean populations. Several recreationally important clam species are common in the Kiket Island beaches. The most abundant edible species reported by Houghton (1973) was the native littleneck, followed by the butter clam. Horse clams, geoduck, and soft-shelled clams were present in lower numbers. Numerous large rock crabs were observed during the site visits, and Dungeness crabs have been catalogued as a part of the DNR Shorezone Inventory Maps. Washington State Parks ownership will make these resources available to the public during the established harvest seasons.
- *Important Fringe Eelgrass Beds* Large tracts of eelgrass occur on the northeast portion of Kiket Island shore which provide important connectivity to Skagit River spawning grounds for all eight species of Puget Sound anadromous fish including endangered Chinook salmon and Bull trout. An extremely important habitat type, fringe eelgrass beds surrounding Kiket Island are continuous, mostly of high density and width, and extend into the subtidal areas. Jon Houghton, a Marine biologist with Pentec Environmental identified the eelgrass to be predominantly the native species *Zostera marina*, although some *Zostera japonica* is present as well. This intertidal and subtidal eelgrass provides spawning substrate for Pacific herring, a prey food of salmonids (Humphreys and Houston, 1978).

The Puget Sound Action Team's 2007 State of the Sound Report prioritizes the preservation of "the smaller beds that support habitat diversity and provide valuable shoreline functions, especially for migrating salmon that travel to and from the ocean and their native streams." The Department of Natural Resources (DNR) estimates that Washington has lost 33 percent of its eelgrass beds (Sound Facts, PS Water Quality Eelgrass http://psparchives.com/publications/our_work/misc/Fact_sheets/eelgrass.pdf). Eelgrass beds provide juvenile salmonids nursery habitat, food, protection and refuge from avian and fish predators, and serve as refuge from floodwaters discharging from rivers. DNR eelgrass monitoring in Skagit County has found "…a significant declining seven year trend in eelgrass" in Similk Bay, just north of Kiket Island. Eelgrass monitoring surveys in the area show a decrease from approximately 45 hectares to 30 hectares from 2000 to 2006 in the northernmost areas of the bay (unpublished data provided by Jeff Gaeckle, DNR eelgrass biologist). The same monitoring study shows the eelgrass beds along the north side of Kiket Island have been stable during this same period. Non-point source pollution from development activities in the surrounding watershed adversely affects the quality of habitat in Similk and Skagit bays.

Eelgrass beds have the highest variety of epibenthic animals compared to salt marsh and mud flat habitat, with two of three copepods that are a major food source for fish, found only on eelgrass (Simenstad et al. 1988). Juvenile salmon depend on the eelgrass beds for food energy, as they graze on the garden of epiphytes, algae, and microscopic organisms inhabiting each blade. These eelgrass beds are extremely important habitat providing the foundation of the food chain for the estuarine ecosystem. In addition to supplying organic material to nearshore areas and stabilizing the sediments with its roots, eelgrass beds provide key habitat for many marine fish and crabs in Puget Sound. They are particularly sensitive to sedimentation, and stressors from shoreline development can undermine healthy eelgrass beds by increasing wave energy and altering bottom type creating nearshore areas unsuitable for this habitat.

- *Important Forage Fish Spawning Beach* The shorelines of Kiket Island where cliffs do not extend below about mean higher high water, have an upper beach that is a mix of granules, medium sand, and shell material with limited silt. This substrate, when present in the upper one third of the tidal range provides habitat suitable for spawning by forage fish – especially surf smelt *(Hypomesus pretiosus)* which prefer these coarser substrates (Penttila 2000). Washington. Department of Fish and Wildlife (WDFW) forage fish spawning surveys have documented surf smelt spawning along the south side of the Island beginning in front of the existing residence and extending west along the entire shoreline of the south and north side of the Flagstaff/Kiket tombolo to Flagstaff point. Sandlance (*Ammodytes hexapteris*) could spawn in sandier lower elevation beach areas like those south of the Kiket/Fidalgo tombolo, but no sand lance spawn has been documented in WDFW surveys to date. Feeding on plankton, these fish in turn become food for seabirds, marine mammals, and a variety of fish including salmon. If forage fish habitat is destroyed, the prey base is lost and critical links in the food web are broken.
- *Rocky Intertidal Areas* Where wave energy is strong enough to prevent sediment from burying rocks and accumulating, and in regions where the rock face is too steep to allow sediment to collect, one can find tide pools among rocky outcroppings. Permanent tide pools and gullies in which water sloshes up and down after waves break make it possible for specialized organisms to live at appreciably higher intertidal levels than they otherwise could. Kiket Island and Flagstaff Island include many such areas rich with wildlife, and the deep shade offered on the north of the island by the forested uplands further limits desiccation, supporting rich species diversity in the highest intertidal zones.
- *Naturally Eroding Feeder Bluffs (~1000 Linear Feet)* Steep till feeder bluffs separate the beach from the Island uplands. The glacial substrate of the bluffs have a number of holes that are likely nesting burrows of pigeon guillemots (as observed in the 1970s) or kingfishers. Although these deposits generally resist erosion, they are the likely source of much of the cobble and gravel on the

south beaches. Otherwise, only limited sediment source areas exist on the Island and it is probable that most material forming the two tombolos on the property has come from adjacent shorelines of Fidalgo Island that has been transported by wave action over long periods of time.

Beaches and bluffs of the Puget Sound region provide critical nearshore habitat functions and values for the region's fish and wildlife. (Johannessen and MacLennan, 2007) Kiket Island shorelines are extremely diverse and on the southwestern edge, there is a stretch of sandy feeder bluff with burrows for nesting kingfishers and pigeon guillemots. As feeder bluffs naturally erode they support drift cells that replenish the substrate to support eelgrass growth along the fringe of the deep-water edge of Skagit Bay. Gravel/sand beaches provide spawning substrate for surf smelt and sand lance and are dependent on the longshore transport of sediment from feeder bluffs (Clark 1996). Skagit Bay drift cells data shows Kiket Island beaches on the north side of the island are nourished from drift cells moving from the northeast, and the beaches on the southside of the Island are nourished from drift cells moving from the south to the northwest, where currents transport the Island's eroding feeder bluffs towards the tombolo connecting Kiket Island to Flagstaff point. Critical habitats dependent on functioning coastal bluff systems include coastal forests, spawning beaches for forage fish (such as surf smelt), eelgrass beds, and salt marshes, all of which shape the health of salmon populations.

- *Mature Forested Uplands (~53 Acres)* The central portion of the Island contains a mature forest with old growth characteristics. This area of the forest contains large live trees with scorched bark (lingering evidence of century-old forest fires), standing dead trees, and downed logs. These old growth forests cycle energy, nutrients, and water more slowly and efficiently than a young forest. Many wildlife species, such as the Federal threatened marbled murrelet, rely exclusively on old growth habitat for nesting, breeding, or feeding. The forest canopy intercepts rainwater, thereby reducing the flow of water down slopes, which helps stabilize the soil, decreasing erosion. Forests also serve to cleanse the air by removing carbon dioxide, linked to global warming. The understory within this old growth area is comprised of low Oregon grape, salal, red huckleberry, sword fern, and twinflower. Western red cedar and western yew saplings are abundant in localized areas within the northern portion of the Island. We noted that many of the sword ferns were exceptionally large in size.

  This area of the Island contains numerous stumps, snags, broken limbs, a reduction of crown expansion, crown collapse and increased hollowing, which reflect the age of the forest. This forest community provides excellent habitat for birds, owls, beetles, invertebrates, fungi, spiders and flies, which provide food for a wide variety of wildlife inhabiting the Island on a permanent and seasonal basis.

  Two tree species are notable at Kiket Island:

  Pacific Madrone *(Arbutus menziesii)* The Kiket Island shoreline is lined with more than one hundred mature Madrone trees that harbor many insect-eating birds including: the orange-crowned Warbler, the chestnut-backed chickadee, and the Hutton's vireo. The band-tailed pigeon, varied thrush, and the spotted towhee feed on madrone berries. Older madrone trees provide nesting cavities for birds such the red-breasted sapsucker, the hairy woodpecker, downy woodpecker, mountain chickadee, house wren, and western bluebird. Bees are also attracted to madrone trees. Arching over beaches and shallow waters, madrones help shade incubating forage fish eggs such as surf smelt.

  Pacific Yew *(Taxus brevifolia)* State Parks arborist noted a healthy community of yew trees growing in the Kiket Island forest, including one of the largest specimens he has ever witnessed. Pacific yew is a coniferous tree associated with several conifer and hardwood tree species on a variety of sites, that tolerates shade, and in undisturbed stands is usually found as an understory tree. Growth of such trees is slow, but where the overstory has been removed or thinned, diameter growth on undamaged yew trees may increase considerably. Pacific yew rarely exceeds 60 cm (24 in) in d.b.h., and 15 m (49 ft) in height. The largest on record is 142 cm (56 in) in d.b.h., and 18 m (60 ft) in height. The wood is hard, heavy, and resistant to decay. Although not of great interest to the forest products industry, it

has many special uses. The bark of Pacific yew contains a drug, taxol, which is being used in cancer research.

Interactions between the uplands of the property and the marine systems that surround it flow through the riparian zone. The riparian vegetation along the entire length of the Kiket Island property is fairly consistent. Marine riparian vegetation, especially when it overhangs the upper intertidal zone, has long been known to contribute important organic material (leaves, twigs, and sticks) to the marine environment. Recent work (e.g., Brennan and Culverwell 2004) has shown that terrestrial insects from this vegetation are an important component in the diet of juvenile salmonids, especially Chinook, during their early marine life history. Shading from marine riparian vegetation has also been shown to be essential for summer spawning surf smelt (Penttila 2005).

Near the bluffs there are areas of lower shoreline slumping and erosion that has allowed some trees to fall into the intertidal area. These trees provide cover habitat for fish using the nearshore, shading areas at high tide, and contribute large woody debris (LWD) to the marine environment, which are important for maintaining natural nearshore marine conditions. Most of the LWD along the Kiket shorelines originated in the Skagit River.

Along most of its length, the beach on the southern shore of Kiket Island has a moderate abundance of LWD that absorbs wave energy, protects the bank from erosion, adds nutrients to the nearshore and increases habitat diversity, all important conditions for maintaining natural nearshore conditions. Some LWD is quite large, ranging up to 6 feet in diameter. The size and abundance of the LWD tend to decrease on the northern side of the island.

- *Pristine Rocky Balds. (~2 Acres)* Most of the upland on Flagstaff Island consists of a native coastal grassland community, dominated by Festuca rubra, a diversity of native forbs, and associated low shrubs. “Outside of the San Juan Islands, very few such grasslands remain anywhere in the northern Puget Lowlands. Furthermore, very few of these are in good condition. Most have been significantly degraded by invasive grasses, forbs, shrubs, and trees. Overall, the Kiket expression of this community is in good condition, based largely on the diversity of native forbs that remain in the community. Not only are virtually all of the forbs and grasses one might expect to encounter in this assemblage found on Kiket, but some particularly unusual taxa occur as well, such as the Delphinium menziesii. Examples of coastal grasslands in similar condition of this size or larger are difficult to find and estimated to be fewer than a dozen scattered throughout the San Juans. What makes this especially remarkable is its connection to the mainland. All other grasslands in the north Sound area on the mainland have suffered significant degradation (loss of native species, spread of exotics) due to livestock grazing and historic human use. The other grassy balds that occur on the SE portion of Kiket Island are small and highly degraded, with Festuca rubra being one of the few native plants occurring in them in any abundance. These examples further underscore the significance of the grassland at Flagstaff Island.” (notes from site visit by P. Dunwiddie, The Nature Conservancy, 2008).

Additional species unique to this type of habitat are expected to be evident later in the spring and summer. For example, chocolate lily *(Fritillaria lanceolata)* was common on the point during the early 1970s (J. Houghton, Pentec, personal observation) and is expected to still be present. Lichen-encrusted rock is present throughout the site in non-vegetated areas and within and adjacent to the sedum. This assemblage comprises a unique habitat found on coastal waterways in the Puget Sound with minimal disturbance.

The Kiket Island acquisition is important to the regional Puget Sound ecology particularly in relation to the following coastal and estuarine resources and ecosystems:

Unique Habitat and Species Diversity The nearshore and upland habitat variation enables rich species diversity at Kiket Island. The Skagit is the largest river entering Puget Sound and its waters exert a strong

influence on the bay and on Kiket Island. As a result, the average surface water salinity is lower, and the suspended sediment load is higher on the south side of the Island than it is on the north (Similk Bay) side during periods of high river discharge (Stober et al.1973a). This characteristic was invoked by Houghton (1973) to explain the generally higher diversity of intertidal species on Kiket Island compared to Hope Island and on the north side of Kiket Island compared to the south side. A total of at least 251 macroscopic species and types of intertidal animals and 51 species of plant were documented by Houghton (1973) in the several phases of intertidal studies at Kiket Island. A breakdown of the number of species in each major taxon is given in Table 1. Detailed Kiket Island species lists are available upon request. The Island's rich species diversity observed in the 1970s appears to remain today.

Table 1 - Number of Species per Taxon for all Intertidal Sampling

Taxon	No. of Species	Taxon	No. of Species
Miscellaneous Invertebrata	11	Mollusca	(55)
Coelenterata	6	Amphineura	9
Nemertinea	14+	Lamellibranchia	20
Annelida	(87)	Gastropoda	26
Polychaeta	84		
Oligochaeta	3	Total Invertebrata	242+
Echinodermata	13		
Crustacea	(56)	Chordata	8
Cirripedia	4		
Chelifera	1	Marine Macrovegetation	51
Isopoda	10		
Amphipoda	18		
Decapoda	23	Total Species	302+

Source: Houghton 1973 00687\001\Kiket Island BE 04-21-2008\Tables\Table 1.doc

Kiket Island habitats are of specific importance to the Puget Sound region. Coastal wetlands all over the United States are "disappearing at alarming rates" due to human impacts (Population-Environment Balance 2007). In 1998 the Washington State Department of Natural Resources reported that over 70% of Washington's tidally influenced wetlands had been destroyed by human associated impacts (urbanization, port development, industrial use, dredging and filling) (WDNR 1998). Recently in The State of The Sound 2007, the Puget Sound Action Team reported that much of the habitat and associated wetlands along the shorelines of the Puget Sound have been drastically degraded and connectivity destroyed by the "extensive development" and land conversion (Puget Sound Action Team 2007).

The Kiket Island acquisition will provide perpetual preservation of important fish habitat and will directly benefit the marine food cycle of Puget Sound. The coastal wetland system within the project area is an active area for large woody debris recruitment and includes important foraging and spawning areas for surf smelt, sand lance, herring spawn, salmonids, waterfowl, marine mammals, and other Puget Sound estuarine ecosystem species. Healthy eelgrass beds provide substrate for herring spawn, critical rearing habitat for juvenile salmonids and feeding areas for waterfowl, and harbor seals, sea lions, and elephant seals.

Important addition to an existing protected area, maintaining ecological connections in the region and enhancing linkages among ecologically important areas in Skagit Bay. The Washington Department of Natural Resources (DNR) owns the land waterward of the Extreme Low Tide mark;

this proposal will provide a permanent habitat link to the adjacent Deception Pass State Park lands including Hope and Skagit Islands, DNR aquatic lands and the forested uplands (Washington State Parks GIS Library 2006). Conservation of this property provides many benefits to fish and shellfish that occupy the nearshore intertidal areas around Kiket Island such as habitat for smoltification, migration, rearing, and refuge for anadromous fish. The Island also contributes to habitat diversity; contributes detritus cycling (i.e., decaying plant material), produces a host of prey species important to juvenile salmonids, and important forage fish species that provide food source for adult salmon. Decaying plant material produced in estuaries is the primary fuel source for the estuary and the nearshore marine detritus-based food webs that support juvenile salmonids. The mosaic of estuarine habitat types are necessary to support diverse prey needs of different salmon and life stages. The project will add to other conservation efforts currently proposed by Washington State Parks and Trust for Public Land. It focuses on enhancing and restoring wild salmon runs in the Skagit watershed. Ensuring the intact uplands and tidelands support forage fish habitat that provides the benefits outside of the immediate area.

Enhance an existing protected area that provides important habitat for the eight federally threatened or endangered species:

a) Bull Trout (*Oncorhynchus keta)* FEDERAL THREATENED Bull trout tracking in the Whidbey Basin shows significant species use in the nearshore habitat surrounding Kiket Island. (2008 publication in process, Reg Resenbeichler at USGS) Protects habitat for juveniles and sub adults that utilize nearshore waters for foraging. Also protects forage fish spawning areas to support prey base. WRIA 3 identifies the tidelands and nearshore in Skagit Bay as important areas to protect. Migratory behavior of bull trout in the Skagit watershed is highly variable, and appears to be influenced by flow variability, forage abundance, and water temperature regimes.

b) Chinook Salmon *(Oncorhynchus tshawytscha)* FEDERAL THREATENED Skagit River Spring, Summer, and Fall runs. Kiket Island acquisition protects eelgrass, kelp beds and a pocket estuary; all critical habitat for juvenile and adult Chinook. Pocket estuaries and marshes such as the tidal pond on a portion of the Kiket Island property are very important to out migrating Chinook that are found in those habitats at densities and with growth rates greater than those found in the Skagit estuary. Protects forage fish spawning areas to support prey base. The water condition and prey availability in Skagit bay are critical to the survival of juvenile Chinook salmon when fry out-migrant numbers exceed the carrying capacity of rearing habitat in the estuary (Beamer et al. 2003). Kiket Island acquisition is support by multiple salmon recovery plans (described below). Critical habitat has been designated for Puget Sound Chinook salmon in nearshore marine areas, which include those areas contiguous with the shoreline from the line of extreme high water out to a depth no greater than 30 meters relative to mean low water (NOAA 2005a). Skagit Chinook Recovery Plan supports habitat protection of estuary and nearshore areas.

c) Puget Sound Steelhead *(Oncorhynchus mykiss)* FEDERAL THREATENED Summer and winter runs. Protects habitat for juveniles and sub adults that utilize nearshore waters for foraging. Steelhead are seldom taken in marine beach seines, nonetheless, Stober et al. (1973b) captured a substantial number (167) of juvenile steelhead in surface tow net sampling with greatest catch rates in the areas closest to Kiket Island. Conserving quality nearshore habitat supports recovery plan.

d) Bald Eagle *(Haliaeetus leucocephalus)* STATE THREATENED AND FEDERAL SPECIES OF CONCERN RECENTLY RELEASED FROM ESA LISTING The project site and project area provides non-breeding foraging habitat (waterfowl, gulls, fish) for numerous birds (up to 50) and there is one bald eagle (*Haliaeetus leucocephalus*) nest documented in the south central portion of the Island. Several nests are documented on Hope Island approximately one mile south, and at Deception Pass State Park, approximately one and a half miles southwest of the Island. A 800-foot shoreline and nest buffer encompasses Kiket Island. At least one bald eagle was present over the Island for much of

the time during spring 2008 field visits. Bald Eagle Recovery Plan goals include management of habitat for breeding, winter roosting, and foraging.

e) Peregrine Falcon (*Falco peregrinus)* STATE SENSITIVE AND FEDERAL SPECIES OF CONCERN The project site and project area provides winter and migratory foraging habitat for a several birds (5-10) and there is one falcon nest documented on the southeastern corner of Hope Island. Protected under the Migratory Bird Treaty Act.

f) Marbled Murrelet *(Brachramphus marmoratus)* FEDERAL THREATENED Although no nesting birds recorded, Skagit Audubon lists this species as usually present all year. Kiket hosts nearshore foraging habitat ideal for the murrelet, and protects important forage fish habitat. Old growth character forest provides excellent murrelet nesting habitat. Marbled murrelets feed on small schooling fish and invertebrates found in shallow coastal waters, typically within 1-¼ miles offshore. Marbled murrelet Recovery Plan goals include management and conservation of forage habitat.

g) Killer Whale, Southern Residents *(Orcinus orca)* FEDERAL ENDANGERED Protects habitat and forage area for Puget Sound estuarine associated species that play key role in Southern Residents diet. One of the main goals outlined in the Proposed Endangered Species Act (ESA) Recovery Plan for the Puget Sound killer whales is to preserve an adequate prey base such as salmon and other fish through supporting salmon restoration efforts including habitat management and preservation.

h) Stellar Sea Lion *(Eumetopias jubatus)* FEDERALLY THREATENED A documented sea lion haul out site is located in Similk Bay approximately one and a half miles north of Kiket Island. A single large sea lion, likely a Stellar, was seen on the north side of the Island during the April 2008 site visit. Shortly after the sea lion dove, a school of herring surfaced jumping from the water in the same area. Kiket Island acquisition protects habitat and forage area. Reduced prey availability is identified as a chronic threat to Stellar sea lion recovery. This acquisition protects salmon habitat, important to recovery of sea lion's prey base.

Kiket Island benefits twelve State Species of Concern

a) Osprey *(Pandion haliaetu)* STATE MONITOR SPECIES Three osprey nests are documented in Deception Pass State Park. These birds likely forage into the waters of Similk and Skagit Bays, including the shorelines of Kiket Island.

b) Red-necked Grebe *(Podiceps grisegena)* STATE MONITOR Skagit Audubon lists species as a common year round resident. Project protects important winter foraging habitat for adult and sub adult grebes. Washington Department of Fish and Wildlife continues to monitor this species and further habitat conservation will benefit the species, particularly in its center of abundance where populations are more stable and have greater chance of maintain current status.

c) Western Grebe *(Aechmophorus occidentalis)* STATE CANDIDATE Skagit Audubon lists species as a common year round resident. Project protects near-shore a preferred winter foraging habitat for this species. Washington Department of Fish and Wildlife continues to monitor this species and further habitat conservation will benefit the species. Puget Sound Partnership reports that local Western grebe populations have declined by 95 percent over the last 20 years.

d) Horned Grebe *(Podiceps auritus) STATE* MONITOR SKAGIT Audubon lists as a common resident in fall, winter and spring. Protects important foraging habitat.

e) Caspian Tern *(Sterna capia) STATE* MONITOR SKAGIT Audubon lists this species as usually present in the summer. Protects preferred foraging habitats in near shore coastal waters.

f) Pileated Woodpecker *(Dryocopus pileatus)* STATE CANDIDATE MIXED stand coniferous forest provides both nesting and foraging habitat. Many snags in the uplands have the characteristically large oval foraging holes indicative of this species. Washington Department of Fish and Wildlife continues to monitor this species and further habitat conservation will benefit the species.

g) Common Loon *(Gavia immer)* STATE SENSITIVE IDENTIFIED in the nearshore area off Kiket Island. Skagit Audubon lists as a common resident in fall, winter and spring. Project protects near-shore marine waters used for winter foraging for adult birds. Washington Department of Fish and Wildlife continues to monitor this species and further habitat conservation will benefit the species.

h) Brandt's Cormorant *(Phalacrocorax penicillatus)* STATE SPECIES OF CONCERN KIKET Island protects nearshore marine habitat used for 10-20 non-breeding birds at the project site and hundreds of birds in the project area.

i) Harbor Seal *(Phoca vitulina) STATE* MONITOR PROJECT protects nearshore marine habitat used for foraging, as well as undisturbed terrestrial shoreline used for haul out. A documented seal haul out site is located in Similk Bay approximately one and a half miles north of Kiket Island. Harbor seals were seen on the north side of the island during April 2008 site visit. Marine Mammal Protection Act and Puget Sound Nearshore Plan support protecting habitat.

j) Grey Whale *(Eschrichitus robbusttus) STATE* SENSITIVE AND DELISTED ENDANGERED Adult and juvenile gray whales are known visitors to Skagit Bay. This project protects nearshore habitats that support the food web that this species depends on. Congress passed the Marine Mammal Protection Act of 1972 based to support actions to sustain healthy populations of all marine mammals.

k) California Sea Lion *(Zalophus californianus)* STATE PRIORITY SPECIES A documented sea lion haul out site is located in Similk Bay approximately one and a half miles north of Kiket Island. Protected by the marine mammal protection act.

l) Northern Elephant Seal *(Mirounga angustirostris)* FEDERAL PROTECTION A documented seal haul out site is located in Similk Bay approximately one and a half miles north of Kiket Island. Protected by the marine mammal protection act.

(ii.) Conservation Values *(5 points out of 55)*

Establish corridors and linkages among areas of significant conservation, ecological, recreational and aesthetic values that are already protected. Kiket Island acquisition will connect existing protected areas at Deception Pass State Park, including three satellite parks: Hope Island, Skagit Island and Dugualla property. Skagit Island contains a mature forest managed as a Natural Area Preserve. The 580-acre Dugualla property, an undeveloped site, contains one of the largest wetland complexes in the state park system.

The Skagit River supports substantial runs of all five species of northeast Pacific salmon as well as steelhead, cutthroat, and bull trout. Chinook salmon, steelhead and bull trout are all listed as threatened under the Endangered Species Act (ESA). Because of its proximity to the river mouth, the waters around Kiket Island as well as the Island's shorelines themselves are used intensively by out-migrating juvenile salmonids (Stober et al. 1973b; Beamer et al. 2005). Beamer et al. (2003) have stressed that the quality of habitats along Skagit Bay shorelines is of great importance to the success of efforts to rebuild salmon runs that have been sharply depleted in the last several decades. The capacity for rearing juvenile salmon within the Skagit delta becomes limited during periods of high out migration (>2,500,000 smolts) resulting in a greater reliance on adjacent nearshore habitat and pocket estuaries such as those of Kiket Island. Stober et al (1973b) estimated that the numbers of juvenile salmonids per mile of shoreline was often over 10,000 and may have exceeded a million on one occasion during the peak of the out migration

period. Beds of eelgrass and kelp ring the Island and enhance the local productivity for salmonids and other important species.

In addition to conserving rearing and foraging habitat for a number of federal and state-listed threatened or endangered fish species, this acquisition will protect breeding, rearing, and foraging habitat for smaller fish that are a significant prey base for endangered salmon, birds, and marine mammals. Feeding on plankton, forage fish such as herring and sand lance in turn become food for seabirds, marine mammals, and a variety of fish, including four of the regions eight native species of anadromous fishes that are known to utilize the aquatic environments at Kiket Island. Protecting forage fish habitat preserves the prey base and maintains critical links in the food web. Restoring native anadromous fish populations to historic levels is critical to protecting the endangered orca whales that depend on salmon as their primary food source.

Kiket Island is within the Deception Pass Important Bird Area, identified by Washington Department of Fish and Wildlife (WDFW) . During winter months, large numbers of diving birds fly in to feed, particularly loons, cormorants, grebes, mergansers and alcids. Common and Pacific loons regularly forage here, but it's the Red-throated Loons that converge in overwhelming numbers. Although there has not been a systematic study of this seasonal phenomenon, according to Bob Kuntz, lead Wildlife Biologist at North Cascades National Park and compiler of the Padilla Bay Christmas Bird Count, the loons are present in some concentrations from mid-November to early April, with the largest numbers during December, January and February. More than 300 pigeon guillemots gather in the area each spring for pair-bonding, and they nest on the cliffs at Deception Pass State Park.

The natural shorelines of Kiket Island are also used by a variety of marine-associated birds and the considerable extent of intact and undisturbed upland habitats on the Island are also of high importance to a variety of bird species. In particular, with other rocky shorelines around Skagit Bay, Kiket Island is one of the few sheltered rocky shorelines in Puget Sound and supports consistent use by rock habitat bird species such as black oystercatchers and black turnstones.

There are many neo-tropical migratory songbirds as well as coastal-dependent and migratory waterfowl that utilize the riparian, forested uplands, freshwater wetlands, and shoreline habitats on the site. The healthy eelgrass meadows and sand gravel beach on-site support healthy populations of forage fish that provide food energy to the many waterfowl and seabirds foraging in Skagit and Similk bays. In addition to the 43 bird species listed in the tables below, numerous other species are likely to benefit from the conservation of the coastal wetland and upland habitats on the site.

Builds upon Swinomish Reservation coastal restoration efforts. The acquisition of the Kiket Island property provides a critical link in nature-based recreation along the Skagit Bay shoreline; protects sites of cultural significance to the Tribe and of historical significance to the great Puget Sound community; and contributes to the preservation of undisturbed shoreline and scenic views in the larger Skagit Delta. Together, the values protected by the acquisition of the subject area will significantly benefit the coastal and estuarine environment. The Swinomish Tribe is working diligently with its own initiative to restore tidelands and shorelands within its reservation. This project complements the tribal restoration efforts.

Ongoing restoration opportunities. Washington State Parks will manage ongoing invasive and non-native Species Management and Marine Debris Clean-up. The properties included within this proposal encompass high quality native plant communities. Acquisition and management of these properties will include active and aggressive removal of non-native and invasive species in compliance with the Commission adopted Natural Resource Policy. Additionally, marine debris and garbage that accumulates on the shore from wind and currents will be regularly collected and disposed of.

The whole is greater than the sum of its parts. The mix of ecological, recreation, historic and aesthetic values at Kiket Island together contribute important benefits to the coastal and estuarine environment are not provided by those values individually. Kiket Island has been in private ownership since statehood except for a brief period in the late 1960s and early 1970s when Snohomish County Public Utilities

District and Seattle City Light purchased it for evaluation as a possible site for a saltwater-cooled nuclear power plant. During that period, the University of Washington undertook a series of studies of the area's marine biology that provide a detailed historic data base for the marine resources of the Island's shorelines and surrounding waters of Skagit Bay (Stober and Salo 1973). Consequently, the tidelands and nearshore habitat surrounding Kiket Island are the most studied in the Puget Sound. This foundation of knowledge creates a unique environmental education opportunity for Washington State Parks to build upon.

The private owners minimally impacted the island - one house and a one-lane road represent the major development footprint.

If awarded, this Kiket Island acquisition Phase I will enable Washington State Parks to purchase the first key piece toward securing more than 100 acres in the project area. Kiket Island Phase II will include the remaining Kiket Island shoreline and the Fidalgo Island parcel with its high-quality pocket estuary and salt marsh habitat critical to juvenile endangered salmon.

***Washington State Parks Conservation Designation*.** All conservation benefits of this project will be permanent. Combining Phases I and II, the Kiket Island project will bring 123.5 acres in fee simple shoreline property into Washington State Parks ownership and ensure that the valuable nearshore habitat is managed for its conservation values in perpetuity. The intent of this project is to protect the integrity of the unique and diverse habitat along this Puget Sound shoreline and ensure that the land is managed for the primary purpose of preserving declining estuarine ecosystems. The Commission-adopted natural resources policies will direct management of public access to the tidelands constrained by seeking excellent stewardship of these sensitive shoreline and intertidal habitats. On-site park staff will monitor to ensure non-adverse activities occur.

(iii.) Recreational Values *(5 points out of 55)*

Expand shoreline access easily accessible to Seattle and Everett metropolitan areas. Deception Pass is Washington's tenth largest state park, with more than 3,200 acres and nearly 15 miles of shoreline. No state park receives more visitors, owing to its proximity to population, varied topography, variety of marine and upland habitats and dramatic views. The name refers to the narrow water body that separates the Straits of San Juan de Fuca and Skagit Bay.

Adding Kiket Island to the Deception Pass management unit would add a new dimension to the already exemplary natural resource education and interpretation opportunities. The Kiket Island property is more easily accessed by car than Deception Pass. The intact natural resources at Kiket Island provide an opportunity to expose the public to a site only minimally impacted by human activities. If this acquisition fails, the consequences of private ownership loom large. Skagit Island lies a few hundred feet from the western end of the Kiket Island property. Private ownership would adversely impact the visitor experiences there as well as severely compromise the natural resources on Kiket and Flagstaff Islands through residential shoreline estate development.

Significant contribution to coast-dependent and nature-based recreation. The Skagit Delta is a popular recreation area for kayakers, shellfish harvesters, and beachcombers. Kiket Island would provide important public access to the Skagit County Puget Sound shoreline, increasing the availability of coast-dependent and nature-based recreation for the public to enjoy. Kiket Island is an ideal place for bird watching and other passive nature-based recreation and education opportunities. The spit and undeveloped shoreline along the bay provide a unique natural environment—sandy shores, prolific tidelands, and rich wetlands—for the public to explore and enjoy.

Kiket Island is located along the Cascadia Marine Trail, a water trail that stretches from south Puget Sound to Canada and provides access to a number of shoreline parks for travelers using small, beachable, human- or wind-powered boats.

Priority recreational access identified in Washington's CELCP and other plans. Washington CELCP encourages, where possible, the integration of low-impact nonconsumptive human activities with natural settings, consistent with the state comprehensive outdoor recreation planning (SCORP) process (IAC, October, 2002). The Trust for Public Land (TPL) completed the Puget Sound Shorelines Greenprint that identifies important conservation areas with an eye to public recreation and aesthetic issues as well. TPL's Shoreline Strategy examines the connectivity of protected areas and corridors of importance at the local scale and is referenced in the WA CELCP Plan to provide additional information to inform the CELCP project selection by incorporating these additional elements in a formal assessment.

Building off of the Puget Sound Shorelines Strategy (described below), TPL joined forces with The Nature Conservancy, People for Puget Sound, to create The Alliance for Puget Sound Shorelines. Over three years, the organizations are partnering to add ten new parks and natural areas for public access, preserve 1000 miles of Puget Sound shoreline through policy efforts, and 100 miles of shoreline through stewardship. The Kiket Island acquisition is a centerpiece project of the Alliance.

Critical coastal access identified as local and regional priority.

The Trust for Public Land's Shoreline Strategy notes the relative amount and quality of shoreline public access in Washington is not keeping pace with population growth that is projected to be 5.3 million people by 2025 (a 35% increase). Those who live in the Puget Sound region love to walk along its shores and explore and enjoy the marine environment. Unfortunately, because of Washington State's unique history much of the Puget Sound shoreline is privately owned and off limits to the public. Recent comprehensive inventories of Puget Sound shorelines show that approximately 19 percent (425 miles) of the 2,300 miles of Puget Sound Shoreline is publicly accessible. However, only half of those public shorelines are accessible from upland areas. Without a boat, public access is really only ten percent of the inland marine waters of Puget Sound. Acquiring this property will increase the mileage of easily accessible public shorelands by over 1.5 percent. The Trust for Public Land believes that connecting people to the Puget Sound will be key to generating a regional movement to protect and restore this threatened and precious natural resource. A recreational beach at Kiket Island that provides both tideland and upland access would be a significant addition to the network of shoreline parks along Puget Sound.

At present, the closest easily accessible public beaches are at Cornet Bay and Deception Pass State Parks, which are approximately seven miles along the shoreline from Kiket Island. The Island is close to Skagit Island and Hope Island, both true islands accessible only by private watercraft. Both are included in the state's Deception Pass State Park, and Skagit Island has a Washington Water Trails campsite for boaters. Both islands also share some of the ecological conditions typical of Kiket Island shorelines and uplands but neither offers quite the combination of ecology and accessibility, as does the Island. This expanded State Park would increase the availability of coast-dependent and nature-based recreation for the non-boating public to enjoy.

(iv.) Historical Values (5 points out of 55)

Valuable Culturally Significant Archaeological Sites. Kiket Island is of significant cultural importance to the Swinomish Tribe. There are two archaeological shell midden sites documented on Kiket Island; one near the barrier lagoon, and the other on the northwest end of Island before crossing the tombolo to Flagstaff. These sites are common around the region, comprised mostly of mollusk shells remaining from indigenous communities that once fished and lived along these shorelines. The only known historic use by humans of the shorelines and beaches around Kiket Island is limited clam harvest and family picnicking by Swinomish tribal members and by Island residents.

Potential new historical, cultural, or archaeological features that have not been formally evaluated. Washington State Parks acquisition of Kiket Island will provide future opportunities for Swinomish cultural resource site investigations, identification, protection and management to avoid negative impacts to these resources. A recent study of Puget Sound Native Americans trapping birds with suspended nets showed this occurring at sites with similar attributes – this site warrants investigation of whether it took place.

***Roots of Pacific Northwest Exploration*.** In the spring of 1792, Joseph Whidbey, Master of the HMS Discovery and Captain Vancouver's chief navigator, sailed through the narrow passage that is now called Deception Pass towards Kiket Island, proving that the pass was not a small bay as charted by the Spaniards (hence the name "Deception"), but a deep and turbulent channel that connects the Straight Of Juan De Fuca with the Saratoga Passage which separates the mainland from what they believed was a peninsula (actually Fidalgo Island and Whidbey Island). Some historians consider the spit in Turner's Bay immediately north of Kiket Island, to be a possible landing site of Captain George Vancouver's Puget Sound Exploration party, as it fits the description and approximate location of one of their reported survey sites as they explored the area. Kiket Island was named by the Wilkes Expedition in 1841.

(v.) Aesthetic Values (5 points out of 55)

Preserves undeveloped and undisturbed views to and from historic Deception Pass Bridge and State Park. The views from Kiket Island are spectacular. The western tip of Flagstaff Island provides a truly unique vista, looking at water level directly under the Deception Pass Bridge, a view unobtainable except when on a boat. Looking south and west to Coronet Bay, Whidbey Island, and Fidalgo Island, one holds a territorial view of northern Skagit Bay. Public ownership of the property will make this experience available to the general public. (See attached photos.)

Preserve Scenic Land and Water Routes Kiket Island is located along the Cascadia Marine Trail, a water trail that stretches from Olympia in south Puget Sound to Canada. The Cascadia Marine Trail is a well-traveled route of many non-motorized boaters exploring Puget Sound or heading farther north to the San Juan Islands. The project area is also located just south of Highway 20, a state-designated scenic byway that runs the length of Whidbey Island to the west and provides a scenic east-west route across the Skagit Valley.

Stave off Development The area surrounding Kiket Island and the greater Skagit Valley is under increasing development pressure as population in the Puget Sound basin continues to grow and spread from urban centers. Undeveloped, undisturbed waterfront property is an increasingly threatened commodity in Puget Sound, as second homeowners and retirees discover the beauty of the Puget Sound shoreline. Acquisition of the subject area is a unique opportunity to preserve an enclave of pleasing and natural views amidst a growing sea of suburban development.

An Untrammeled Site The property provides a space for escaping the rapid pace of everyday life. Public access would be deliberately constrained by the one-lane access road to provide for a serene setting. Uses would be in keeping with the setting. Facilities would support the uses, being kept in proportion with the site's capacity to absorb use while respecting the habitat and public expectation of the experiences.

(vi) Relevance to WA CELCP and other conservation plans (10 points out of 55)

Puget Sound is a unique and ecologically sensitive area, and because of growing development pressure, there are a number of watershed and coastal management initiatives that have been instituted to protect Puget Sound's coastal resources. The efforts include federal and state programs that cover the entire Puget Sound region, such as the Puget Sound Initiative; programs that target specific groups of plants and animals such as the North American Waterfowl Management Plan; and state and local programs that target limited areas, such as the Skagit County Code.

The acquisition of the subject property helps to accomplish the overarching natural resources goals and objectives in many management plans and conservation efforts across Puget Sound. We have reviewed and summarized the key components of published actions and plans for the Puget Sound area, and describe the relationship of the site to these plans. In general, acquisition of the property would help meet state and local salmon recovery goals, natural resource conservation objectives, increase public access opportunities to shoreline and upland areas, preserve resources and ecology along our shorelines, and preserve habitat for terrestrial and aquatic species.

Washington Coastal and Estuarine Land Conservation Program (CELCP) Plan *indicates that the Kiket Island acquisition is part of an integral priority/project area.*

The Washington CELCP, dated in April 2007, emphasizes protecting sustainable biodiversity of coastal and estuarine resources with a focus on preservation of watershed/shoreline processes, functions, and connectivity of natural systems, identifying project areas based on the presence of target ecological features and other attributes (e.g., recreation/public access, historical/cultural, aesthetic) at a geographic site. The Kiket Island project acquisition is supported by Washington CELCP Plan priorities such as:

> *Salmon Recovery:* Protection and restoration of salmon habitat is essential to the recovery of this icon of the Pacific Northwest. The Kiket Island acquisition will protect important habitat benefiting endangered salmon, and preserves the ecological integrity of the landscape for a wealth of other species.

Furthermore, the Kiket Island project meets the ecological features mandatory to the CELCP Plan including:

> *Wetlands Protection*: The barrier lagoon offers pristine estuarine wetlands on the parcel east of Kiket Island, slated for acquisition in Phase II. Forage fish spawning beaches and ribbons of fringe eelgrass beds in Kiket Island's intertidal zones are regionally important habitat fueling the estuarine ecosystem of Skagit Bay and Puget Sound.
>
> *Shorelines Protection*: This acquisition will permanently protect more than two miles of natural shoreline providing critical habitat for forage fish and salmon. The sand and gravel beaches support abundant shellfish populations. The naturally eroding feeder bluffs supply sediment to the drift cells that nourish beaches to the north and south of the Island. The predominately intact, undisturbed natural shoreline at Kiket Island is an important healthy link for migrating salmon using the nearshore habitat of the Skagit Delta.
>
> *Associated Uplands Conservation*: The mature forested uplands adjacent to the Kiket Island shorelands contribute to the health of the water environment and water-dependent wildlife.

Moreover, the Washington CELCP Plan identifies the threat of habitat fragmentation, and recognizes a healthy Puget Sound nearshore is key to sustaining life in the Puget Sound estuary. The remaining naturally functioning mosaic of Puget Sound beaches, bluffs, deltas, mudflats, and wetlands are being stressed by development. A steady loss of habitat, alarming declines in some fish and wildlife populations, and closures of shellfish beds are signs that the very best of the Puget Sound is threatened, and equate to threats to the economic sustainability of the region as well. The Kiket Island acquisition will protect important habitat connectivity, decreasing fragmentation in northern Skagit Bay, while preserving rich biodiversity, and ecological processes and functions that support healthy estuarine ecosystems (described in part 1 above).

Washington Coastal Management Plan approved under the Coastal Zone Management Agreement (CZMA) *identifies the Kiket Island area as a priority conservation location.*

The Kiket Island project is located within Skagit Bay, which is an Area of Particular Concern (APC), according to Washington's CZMP. The WCMP notes the Skagit River estuary is among the most diverse, least disturbed, and most biologically productive of all the major estuaries on the Puget Sound. The

Skagit River system accounts for over 35 percent of the freshwater entering the Straits of Juan de Fuca and Puget Sound. All five species of salmon and three species of anadromous trout (trout that go from freshwater to saltwater and return to spawn upriver) begin life in the cool, gravel bottoms of the Skagit River system. The acquisition of Kiket Island and long-term ecological management of Kiket Island tidelands, nearshore, and associated uplands by Washington State Parks will greatly add to the protection and conservation of the larger Skagit Bay ecosystem.

Regional and Washington watershed planning efforts support Kiket Island acquisition

a) Puget Sound Coastal Program, United States Fish and Wildlife Service (USFWS)

The goal of this program is to protect and restore unique Puget Sound habitats including productive nearshore areas of beaches, mudflats, bluffs, kelp and eelgrass beds, salt marshes, large and small river deltas, estuaries, and deepwater habitat. Protecting Kiket Island secures diverse and high quality habitat for the many fish, marine mammals, seabirds, marine invertebrates and plants occupying the uplands and nearshore areas.

b) North American Waterfowl Management Plan (Environment Canada, United States Fish and Wildlife Services, Semarnat, 2004)

The main intent of this international strategy is to restore and sustain abundant waterfowl populations by conserving landscapes through partnerships that are guided by sound science. One of the key principles to achieving the above goal is by providing long-term protection, restoration, and management of waterfowl habitats through collaboration with other conservation and community efforts in the development of policies and programs that sustain the ecological health of landscapes. Another mechanism for achieving the plans goals is through habitat joint ventures or partnerships among private organizations, individuals and government agencies. The plan's joint venture habitat objective on the Pacific Coast is to protect or secure 249,000 acres of waterfowl habitat, and restore or enhance 108,000 acres of habitat.

Kiket Island will protect approximately 2 miles of shoreline habitat used by a variety of shorebirds, seabirds, and other marine-associated birds. In addition, the property provides habitat for a wide variety of avian species including, but not limited to, owls, woodpeckers, eagles, hummingbirds, juncos, sparrows, and chickadees. The acquisition and preservation of the property will help achieve the protection objective of the plan.

c) Conservation Strategy for Landbirds in Lowlands and Valleys of Western Oregon and Washington

This document discusses the dramatic decline in landbird populations and habitat in the Puget Sound lowlands and valleys of Western Washington. The conservation strategy includes four components to help meet the goal of ensuring long-term maintenance of healthy populations of native landbirds. These changes have impacted historic vegetation communities and landbird habitats resulting in species range reductions, population declines, and extirpations.

The plan provides a conservation strategy that identifies habitats and habitat attributes important to landbirds; describe the desired habitat conditions based on habitat relationships of priority species; Provide interim management targets to achieve the desired conditions; and recommend management actions that can be implemented by various entities at multiple scales. The plan identifies four priority habitats, of which, riparian – open water habitats are included. One of the key habitat elements listed for riparian – open water habitats is the presence of snags, particularly for tree swallow and purple martin.

Implementation of the above strategies in order to meet biological objectives of maintaining healthy populations and habitats will require a broad range of partnerships, extensive cooperation, and considerable financial resources.

The Kiket Island property contains a considerable amount of riparian – open water habitat. The Island's shorelines are undeveloped with mostly virgin, native vegetation. The Island hosts a number of snags that currently provide habitat for a variety of terrestrial avian species, such as bald eagles, great horned owl, and barn owl. Acquisition of the property will preserve the existing landbird habitat and provide a connection to adjacent islands with riparian – open water habitats on or adjacent to them.

d) Washington Department of Fish and Wildlife Priority Habitat and Species Program

The Washington Department of Fish and Wildlife's Priority Habitat and Species Program "identifies habitats and species determined to be priorities based on defensible criteria" for management and conservation recommendations. This proposal will protect and preserve the following Priority Habitat and species: bald eagle nesting habitat, significant forage fish habitat, crab, clam harvest areas, migration, nursery, and forage habitat for all eight of the protected salmonids species, and forage habitat for a variety estuarine fish and bird species.

e) Washington's Comprehensive Wildlife Conservation Strategy (Washington Department of Fish and Wildlife 2005)

This plan describes the ownership of and access to lands in the state, problems including habitat loss and salmon recovery, conservations strategies, and priorities at statewide, ecoregion, and local levels. The plan outlines six guiding principles that were adopted in order to direct the development of this strategy. Two of the most applicable principles for the Kiket Island property include: #3 – strengthen conservation partnerships, and #4 – emphasize biodiversity conservation.

Priority one habitats (considered the highest priority for statewide conservation actions) on the Kiket Island include marine nearshore, bays and estuaries, and Westside lowland conifer-hardwood (mature) forest. The plan also identifies major influences having great impacts on Washington's fish, wildlife, and habitat base including habitat loss through conversion, fragmentation and degradation, which poses the greatest threat to native fish and wildlife resources. It is estimated that habitat loss has cost the state approximately 70 percent of its estuarine wetlands, 50 percent - 90 percent of riparian habitat, and 90 percent of old growth forest. Salmon recovery has also been influenced by habitat loss and alteration due to population growth and development. Conservation strategies such as species conservation, coordinated salmon recovery, habitat conservation on public lands and waterways, habitat acquisition, and environmental education are prioritized. The plan states that while habitat acquisition can be expensive, it is oftentimes the best long-term mechanism for protection and stewardship of critical habitats. In addition, as population growth continues in the Puget Sound, the demand for public areas will also increase and conservation education and wildlife information will also increase.

Kiket Island provides an opportunity to preserve existing habitats (terrestrial, nearshore, wetland, and riparian) through land acquisition as well as to provide educational opportunities to the public. Acquisition of the property aligns with the "priority one" habitats for statewide conservation actions.

f) Washington State Parks Mission Statement

"The Washington State Parks and Recreation Commission acquires, operates, enhances, and protects a diverse system of recreational, cultural, historical and natural sites. The Commission fosters outdoor recreation and education statewide to provide enjoyment and enrichment for all, and a valued legacy to future generations."

"In 2013, Washington's state parks will be premier destinations of uncommon quality, including state and regionally significant natural, cultural, historical and recreational resources that are outstanding for public experience, health, enjoyment and learning."

Kiket Island contributes to the Agency's Mission and 2013 vision statement by acquiring lands of state and regional significance with natural resources including eelgrass beds, rocky balds, and old growth forested shoreline habitat.

g) Pacific Coast Joint Venture (PCJV) Implementation Plan

The PCJV's overall goal is to ensure the long-term maintenance of habitat values and natural ecological processes within coastal wetland ecosystems. A wide array of conservation strategies are employed to accomplish these goals, including fee title acquisition that provides long-term protection.

h) North Pacific Coast Regional Shorebird Conservation Plan (Drut and Buchanan, 2000)

The goals of the Northern Pacific Coast Regional Shorebird Conservation Plan include protecting, restoring, and enhancing the quantity and quality of shorebird nesting, roosting, and foraging habitats to stabilize, maintain, or increase breeding, wintering, or migrating populations of shorebird species within the region. The project contributes to these goals by acquiring and protecting in perpetuity Kiket Island with its highly functional marine nearshore, estuarine, riparian, and forested marine upland habitat. The entire protected area consists of high quality shorebird habitat.

Regional and State watershed planning efforts support Kiket Island acquisition.

a) Puget Sound Shared Strategy (Shared Strategy for Puget Sound 2007) and Skagit Chinook Recovery Plan, 2005

The Shared Strategy is a groundbreaking collaborative effort to protect and restore salmon runs across Puget Sound. Shared Strategy engages local citizens, tribes, technical experts and policy makers to build a practical, cost-effective recovery plan endorsed by the people living and working in the watersheds of Puget Sound. In general, the document emphasizes salmon recovery through habitat restoration and protection at individual sites as well as at an ecosystem scale. The protection of existing functioning habitats in urban and rural areas is an immediate short-tem need in order to preserve options for the future and increase the likelihood of success in salmon recovery. In addition, educational and incentive-based programs are also necessary.

The North Fork of the Skagit River drains into Skagit Bay south of La Conner. The Skagit Delta is a productive farming area, and the lowlands host large concentrations of wintering waterfowl, shorebirds and raptors. The estuarine and intertidal areas play a critical role in salmon health. It is estimated that approximately 72 percent of historic tidal marsh habitat has disappeared. While the plan focuses on habitat impacts and restoration in the Skagit River, it also emphasizes the importance of healthy riparian zones, and pocket estuaries within local embayments. Marine, nearshore and freshwater environments are critical to various life stages. Skagit Chinook populations have had significant declines and are at a high risk of extinction. The plan identifies a recovery goal of providing sufficient harvestable salmon to the tribes and the State, providing meaningful directed harvests at levels consistent with treaty reserved fishing rights, and meeting treaty/non-treaty allocation objects while protecting and enhancing the diversity, abundance and productivity of wild Skagit Chinook and their ecosystems.

Recovery actions address the factors contributing to salmon declines, including prioritizing increases in connectivity between habitats in the delta and adjacent shorelines and increasing forage fish habitat and production. A key recovery action is habitat protection, particularly increasing pocket estuaries throughout the Whidbey Basin and ensuring healthy and functioning nearshore beaches connecting pocket estuaries.

The long-term preservation of Kiket Island would allow for protection of salmon habitat in the Whidbey Basin and near the North Fork of the Skagit River. The Island’s shoreline is generally undeveloped and contains a healthy riparian zone and known forage fish spawning areas. The property also includes a pocket estuary providing important juvenile salmon nursery habitat. Acquisition of the property would maintain its high-quality shoreline and nearshore environment that are critical to salmon recovery.

b) Puget Sound Partnership Conservation and Recovery Plan, 2005-7. (Puget Sound Partnership 2007)

The plan describes the significance of preserving functioning habitats through a variety of conservation tools including the purchase of land and easements. The long-term goal of the plan is to manage Puget Sound to protect the full range of its biological diversity. The plan discusses the listing of salmon and orca whales in the Puget Sound and their correlation to the disappearance of nearshore habitats. In addition, the document cites marine bird population declines (56 percent to 95 percent depending on species) and a 27 percent overall decline of marine birds in our region. Two key priorities that apply to the Kiket Island property include:

Priority #5: Protect functioning marine and freshwater habitats, and
Priority #7: Protect species diversity.

Preserving Kiket Island's existing naturally functioning habitats and preventing future degradation of its nearshore furthers these conservation priorities.

c) Guidance for Protection and Restoration of the Nearshore Ecosystems of the Puget Sound (Nearshore Science Team 2003)

This document provides general guidance to develop, select and evaluate actions that protect and restore Puget Sound nearshore ecosystems. Identifying key principles and concepts such as the re-establishment or improvement of ecosystem processes in order to achieve the recovery of nearshore ecosystems, this guidance stresses the importance of an integrated landscape approach that links freshwater-nearshore-marine habitats.

The Kiket Island property is located in a unique landscape position between Skagit and Similk Bays and contains high quality upland, nearshore, and marine habitats. The property is influenced by these habitats and their interactions, and thus, its acquisition would preserve these ecosystem processes. The Island's proximity to the Skagit River, and to adjacent islands such as Skagit, Hope, and Fidalgo Islands provides an opportunity to protect the relatively undisturbed existing habitat on the Island and the marine and terrestrial connectivity to these adjacent habitats.

d) Puget Sound Water Quality Protection RCW 90.71

Kiket Island is consistent with RCW 90.71, Puget Sound Water Quality Protection, "Puget Sound and related inland marine waterways of Washington State represent a unique and unparalleled resource. A rich and varied range of marine organisms, comprising an interdependent, sensitive communal ecosystem reside in these sheltered waters. Residents of this region enjoy a way of life centered around the waters of Puget Sound, featuring accessible recreational opportunities, world-class port facilities and water transportation systems, harvest of marine food resources, shoreline-oriented life styles, water-dependent industries, tourism, irreplaceable aesthetics, and other activities, all of which to some degree depend upon a clean and healthy marine resource."

e) Coastal Habitats in Puget Sound: A Research Plan in Support of the Puget Sound Nearshore Partnership (Puget Sound Nearshore Partnership Report No. 2006-1)

This plan highlights the need to better understand (1) ecosystem processes and linkages to watershed and marine systems, (2) the effects of human activities on nearshore ecosystem processes, (3) the effects of restoration and preservation activities, (4) the effects of social, cultural and economic values on nearshore ecosystem restoration and protection, (5) relations of nearshore processes to important ecosystem functions, and (6) the roles of information in restoring nearshore processes. Given that Endangered Species Act (ESA) listings continue to increase and nine out of ten species currently listed in Washington rely on the nearshore environment, this plan emphasizes a strong need for more information in order to identify high-priority research goals.

The Kiket Island property contains a relatively undisturbed nearshore environment and serves as an ideal site for gaining a better understanding of nearshore processes and functions. The considerable baseline of information from the 1970s studies reported by Stober and Salo (1973) provide an excellent quantitative baseline of data for comparison with current conditions in an area that has not

been subject to any local stressors for the past 40 years. The property also is located near other island environments and less than two miles away from Deception Pass State Park. These properties all contain high-quality habitat used by a variety of terrestrial and aquatic species that utilize the nearshore environment. In addition, the property provides an opportunity to better understand the effects of social, cultural and economic values on nearshore protection through preservation of the property with public use and access.

f) Improving Methods for Regional Marine Conservation Assessments: Examples from the Pacific Northwest (The Nature Conservancy, National Oceanic and Atmospheric Administration (NOAA) Coastal Services Center 2006)

The overall goal of this plan is to "identify the suite of conservation areas that promote the long-term survival of all native plant and animal species and natural communities in the Pacific Northwest Coast ecoregion." The assessment identified coastal ecosystems and habitats that are recognized as ecologically important, highly productive or sensitive to human impacts.

The Kiket Island property contains a variety of priority habitats identified in the plan including eelgrass beds, kelp beds, a pocket estuary, rocky intertidal areas and tide pools, spawning areas, shorebird and terrestrial nesting sites, and undisturbed shoreline/riparian areas. The property is an example of the interaction between upland and shoreline environments and the plant and animal species that utilize the area for feeding, breeding, migrating, shelter, and other life cycle needs. Long-term preservation of the property would allow these processes and interactions to continue, and serve as a reference site for nearby restoration activities.

g) The Trust for Public Land Puget Sound Shoreline Strategy. The Trust for Public Land's Puget Sound Shoreline Strategy identifies the amount and location of public shoreline along the 2,300 miles of Puget Sound. In total, less than ten percent of the Puget Sound shoreline is accessible from upland parcels. Acquisition of Kiket Island by Washington State Parks would contribute a critical recreational link along the Puget Sound shoreline.

h) The Nature Conservancy's Willamette Valley – Puget Trough – Georgia Basin Ecoregional Assessment *includes Kiket Island in the Deception Pass Terrestrial Marine Portfolio Site.* The assessment identifies a portfolio of sites for conservation action with a goal of protecting representative biodiversity and ecologically significant populations. These assessments are the result of rigorous scientific analyses, which incorporate expert review, and are the most comprehensive and current efforts to set conservation priorities at an ecoregional scale. Biodiversity conservation in an ecoregion will attain its fullest potential if all conservation organizations coordinate their strategies to protect and restore biodiversity according to the priorities identified in this process. The Kiket Island conservation acquisition is supported by the Puget Trough ecoregional assessment.

Local watershed planning efforts support Kiket Island acquisition.

a) Skagit Watershed Council – Habitat Protection and Restoration Strategy (Habitat Restoration and Protection Committee of the Skagit Watershed Council 1998) and Watershed Planning Act of 1998

The State Legislature passed House Bill 2514, The Watershed Management Act of 1998 (RCW 90.82) to set a framework for addressing the State's water resource issues for people and for salmon habitat. The work of the Skagit River System Cooperative (SRSC), a planning and research consortium of Swinomish and Sauk-Suiattle tribes, has driven the Skagit Watershed Council Habitat Protection and Restoration Strategy. The Strategy identifies key habitats throughout the Skagit watershed including –high-value salmon-rearing areas such as side channels, sloughs, and floodplains. The WRIA 3 Watershed Plan identifies the need for protection and restoration of riparian vegetation within the watershed through acquisition.

However, the Skagit Basin Three-Year Work Plan includes the marine nearshore areas near Skagit Bay. The work plan's goal is to protect and restore the unique habitat characteristics in each sub-basin or ecoregion that form and maintain habitat. This plan discusses the need for pocket estuaries as an

alternative estuarine rearing area when there is not room available in the estuary. It also discusses the need for brackish estuaries and nearshore areas due to their productive nature and Chinook salmon's ocean-type life history. Nearshore projects that restore and retain pocket estuary habitat and preserve natural geological beach process that create and maintain nearshore forage fish habitats are important habitats that will aid in salmon recovery. The Kiket Island property provides known high use habitat for salmon populations. Acquisition of the property would maintain coastal processes including forage fish spawning and the functioning pocket estuary in the area thus aiding the overall goal of salmon habitat and population recovery.

b) Skagit County Shoreline Master Plan and Washington Shorelines Management Act, chapter RCW 90.8 and Washington State Shoreline Master Program – Chapter RCW 90.58

The Washington State Shoreline Master Program (SMP) guidelines state "the shorelines of the state are the most valuable and fragile of its natural resources and that there is great concern throughout the state relating to their utilization, protection, restoration and preservation." Goals associated with the SMP include: (1) recognizing and protecting the state-wide interest over local interest; (2) preserving the natural character of the shoreline, (3) resulting in long-term over short-term benefit; (4) protecting the resources and ecology of the shoreline, (5) increasing public access to publicly owned areas of the shoreline, (6) increasing recreational opportunities of the public in the shoreline, and (7) providing of any other element deemed appropriate or necessary.

The Skagit County SMP lists the area around Skagit Bay and Fidalgo Island as a shoreline of statewide significance. Kiket Island and its surrounding aquatic habitat are designated as natural shoreline and aquatic shoreline environments. The natural shoreline environment is intended to preserve natural features and systems in a manner relatively free of human influence and encourage or permit activities that best preserve the natural characteristics that make these shorelines unique and valuable. The aquatic shoreline environment is intended to encourage and protect appropriate multiple uses of the water, to protect and manage the limited surface waters and foreshores from inappropriate activities, and to preserve and wisely use the area's natural features and resources.

In general, acquisition of the property will meet all of the goals identified in the State SMP. The preservation of Kiket Island will protect statewide interests maintaining a significant amount of land for long-term protection. Maintaining its undeveloped nature will also preserve the natural character of the shoreline. Protection of the property will also protect the resources and ecology of the shoreline. Acquisition of the property will increase publicly owned areas and allow for access and more recreational opportunities. Finally, preservation of the Island will maintain its natural and aquatic shoreline uses and intents.

c) Swinomish Comprehensive Plan, 1996

Kiket Island is designated as Open Space and as a scenic landmark area in the Swinomish Comprehensive Plan. The waters surrounding Kiket Island are identified as fish schooling areas, and juvenile and adult salmon migration routes, with important kelp and eelgrass beds. The Plan states the following priorities that support the Washington State Parks Kiket Island Acquisition:

- Kelp and eelgrass beds and other marine plants surrounding the reservation shall be protected and enhanced;
- Natural habitat should be protected to the greatest extent possible from development and other interferences;
- Critical habitat of threatened, rare and endangered wildlife species shall be preserved and protected;
- The scenic visual amenities of the Reservation land base shall be protected, maintained, and enhanced;
- Access to scenic vistas should be protected and encouraged; and
- Designated or established sites of cultural value should be protected, maintained and enhanced.

d) Skagit County Comprehensive Plan, 2005

The purpose of this plan is to address these principles within the framework mandates by the state Growth Management Act and to provide goals, policies, and strategies for managing growth over the next 20 years. This plan recognizes that the environment is an important public resource. Protecting and conserving the environment and ecologically sensitive areas is in the community's best interest. The Environmental Chapter of the SCCP supports the Kiket Acquisition with the following statement: "*Protect, restore where practical, and enhance fish and wildlife populations and their associated habitats."*

e) Deception Pass: Identified Important Bird Area

Important Bird Areas, or IBAs, are sites that provide essential habitat for one or more species of bird. IBAs include sites for breeding, wintering, and/or migrating birds that are vulnerable because they occur at high densities due to their congregatory behavior.

During winter months, large numbers of diving birds fly in to feed, particularly loons, cormorants, grebes, mergansers and alcids. Common and Pacific loons regularly forage here, but it's the red-throated loons that converge in overwhelming numbers. Although there has not been a systematic study of this seasonal phenomenon, according to Bob Kuntz, lead Wildlife Biologist at North Cascades National Park and compiler of the Padilla Bay Christmas Bird Count, the loons are present in some concentrations from mid-November to early April, with the largest numbers during December, January and February. In winter, black oystercatchers frequent rock outcrops. In summer, oystercatchers nest on at least one of the small islands. More than 300 pigeon guillemots gather in the area each spring for pair-bonding, and they nest on the cliffs.

2. Technical/Scientific Merit *(25 points out of 110)*

(i) Manageability of the Project Site *(8 points out of 25)*

Kiket Island will be relatively easy to manage as a new State Park, with only minor restoration needs. Excellent proximity to Seattle, and the surrounding communities of Swinomish Nation, and the Cities of La Conner and Anacortes ensure local connections for prospective volunteers and stewardship partners. Deception Pass State Park, only minutes away by state parks boat or car, has a staff of 11 rangers, a full-time interpretive specialist and other season and maintenance staff available to work at this site. The rangers are authorized to enforce state laws and agency rules.

Current Use and Condition of Kiket Island. Most of this privately owned island land is undeveloped. That area that is developed (a single family residence) is excluded from the CELCP acquisition grant and will be easily modified to accommodate Washington State Parks programming. A single gravel road runs down the southern boundary of the Fidalgo Island portion of the property, crosses the tombolo to Kiket Island and runs the length of the Island to a primary residence on the western portion of the island. A driveway, parking areas, lawn, abandoned small swimming pool, and tennis court surround the residence. An abandoned laboratory and marine railway remain from University of Washington studies in the early 1970's and portions of two additional abandoned marine railways are present, all on the beach on the northwest shore of the Island. In addition to the main access road, several abandoned roads or trails branch off from the main road. The Kiket Island Phase II acquisition will include approximately 13 acres on the west shore of Fidalgo Island. This area has a gravel road, a house with lawn and parking area, and an approximately 4-acre salt-water lagoon with fringing marsh. This area (15 percent of Kiket Island site) was logged and settled on during the early part of the 20th century. The cleared area was put into pasture and a home developed.

Current uses of surrounding area.

- *Southern and Northern boundary*. To the north and south of the site, dense single- family residential development has transformed the shoreline and steep slopes that overlook Skagit Bay. Skagit County zoning designation is Rural Village Residential just north of Kiket Island and stretching south along the Swinomish Channel. A small area of shoreline farther north of Kiket

Island is zoned Agricultural and is in forest classification. Swinomish Tribal Community zoning along the shoreline is Urban Residential.

- *Eastern boundary*. Snee-oosh Road forms the easternmost boundary of the property, and is the arterial paralleling the bay leading to La Conner and the Swinomish Tribal Community Center. The property east of Snee-oosh Road is primarily zoned Rural Resource by Skagit County. Swinomish Tribal Community zoning parallels the county which are rural residential east off Snee-oosh road, and predominantly Forestry Open Space further east to the Swinomish Channel.
- *Western boundary*. Undeveloped and protected Skagit Island and Deception Pass State Park lie west of Kiket Island across Skagit Bay. Northwest of Kiket across Similk Bay is densely developed with single-family shoreline residences, and is zoned Rural Intermediate by Skagit County.

Habitat Quality. The Kiket Island acquisition project will preserve functioning high quality nearshore habitats and associated uplands that require minimal restoration. Evidence of intact and undisturbed habitats can be seen within the central portion of Kiket Island and Flagstaff Point, and along the Island's shorelines. The mature forest on the Island has old growth characteristics, and the open habitat ("bald") at Flagstaff support diverse vegetation and wildlife assemblages. The island shoreline of bluffs, rocky outcroppings, beaches, and tide flats are largely intact high quality habitat.

Degree of non-native species on Kiket Island. The island's overall intact natural setting requires little improvement – yet a few small patches of non-native species do exist there. Working with the community, staff will work to eradicate small patches of *Spartina*, and upland invasive plants such as Himalayan blackberry, and holly.

Restoration planned and environmental remediation. The Swinomish Tribe and other conservation partners including People for Puget Sound, are aggressively seeking to eradicate an exotic plant species, *Spartina sp.*, through hand digging, mechanical means, and bio-agent controls, where it has infested Turner's Bay, north of Similk Bay. Two small *Spartina* nodes have been identified in the saltwater lagoon on the easternmost parcel of Kiket Island. To reduce further infestation, the Trust for Public Land is working with the landowners and the People for Puget Sound to have the *Spartina* removed in the summer of 2008. Nearby native marsh plants would quickly colonize the areas of removal but limited transplanting from these areas will accelerate recovery. In addition to managing invasive plants through removal, Washington State Parks landscaping plans will limit areas of monoculture, and add natives to develop over time into the climax Douglas fir dominated forest typical of undisturbed areas on this slope of the Island.

Washington State Parks also plans to remove the small amount of trash found on the beach (derelict fishing net, part of a boat, etc.). Washington State Parks stewardship will ensure regular beach clean-ups with partner organizations (i.e., Beachwatchers) to remove debris that washes on shore over time.

Overall site manageability. Because of the generally pristine nature of Kiket Island's uplands and shorelines, there are limited opportunities for habitat restoration. Disturbed areas such as the roads, parking and buildings would constitute areas that would be used for park facilities in the future. Building upon the Puget Sound Friendly Vision (describe in the following section) the development of Kiket Island State Park will be shaped by the following management goals:

- Healthy Water Quality: Reduce water and sediment pollution into the Puget Sound
- Healthy Water Quantity: Manage water quantity (e.g., flooding, sea level rise)
- Healthy Habitat: Create and sustain healthy habitat and populations of fish and wildlife species
- Healthy People: Promote diverse community and recreational opportunities that enhance Puget Sound health while informing them about their environment
- Healthy Structures: Sustainable design and low-impact design

A key issue affecting the nearshore habitat is the rate of sea level rise. The Kiket Island acquisition will accommodate projected sea level rise by allowing the aquatic habitats to migrate inland. As sea level

rises, nearshore can be adversely impacted by armored shorelines that preclude the ability of habitats to migrate inland and decrease sediment availability. The tombolos at Kiket Island will likely be sustained by sediment eroding from nearby unarmored banks and the bluffs on the property, as well as sediment from the Skagit River. Upon State Parks acquisition, the property will remain intact and unarmored and be better able to absorb impacts from sea level change.1[1]

(ii) Long-term use of the site *(7 of 25 points)*

Ecological and Conservation Purpose. Washington State Parks seeks to ensure the habitat values the property currently provided would remain intact in the future; avoiding the alternative of the owners selling the land for development as has occurred on adjoining land and is allowed under current zoning. We believe that retaining intact resources is far more efficient that spending funds to restore them later.

Puget Sound Friendly State Park

The health of Puget Sound has received much attention in recent years, as the public and state and local governments address concerns over declining water quality and abundance of iconic marine species such as salmon and orca. The state park system operates dozens of facilities along Puget Sound and is working to make each marine site as environmentally benign as is possible, through re-designing facilities, investing in new water treatments and working to inform the public of the consequences of their actions.

In December 2005, Washington's Governor and Legislature identified that Washington State Parks were appropriate places to provide model projects to Puget Sound residents on how to care for the Sound. Green Vision Plans for three shoreline state parks were developed through a coordinated planning effort in response to the Governor's Puget Sound Initiative and demonstrate the latest concepts in best management practices, low-impact development, and necessary facility renovations to fulfill the project's intent. When the vision plans for these three state parks are executed, each park will model green design strategies that ultimately protect and enhance the overall health of the Puget Sound.

Kiket Island will provide an excellent opportunity to apply Washington State Parks green building solutions, reducing the impact of the built environment on the natural environment while ensuring:

- balance between natural resources, cultural resources, and recreational resources;
- strong financial capacity by lowering operating impacts and increasing revenue capabilities;
- a bold and measurable benefit to the Puget Sound and park landscape that can be easily communicated to inspire stewardship;
- partnerships with neighboring communities and conservation organizations;
- maintain large areas of the park for recreational purposes, and unencumbered by no-recreational purpose areas.

Washington State Parks foresees few public vehicles on the island, providing public access via an electric shuttle or via foot. The easternmost portion of the Kiket Island property near Snee-oosh Road has been significantly altered (excepting the sensitive salt water marsh). Washington State Parks plans to use this area for active public uses, including parking, staff residence and public buildings.

Proposed Uses. The ultimate goal of the acquisition is to permanently place the property in public ownership and stewardship within the Washington State Parks system. Acquisition of the site will ensure its biological integrity. All uses will occur under the management of Washington State Parks and in cooperation with our partners; on-site full time staff will quickly address any potentially detrimental site uses. Since Kiket Island does not have a history of public use, there is no need to alter past public behavior.

a) Environmental Stewardship As a land steward, Washington State Parks has a Stewardship Program with scientific staff in each region with full-time professional biological support staff available from headquarters. Washington State Parks plans to protect sensitive natural areas on Kiket Island to support shellfish, juvenile salmon, and other aquatic resources.

[1][1] Preparing for the Impacts of Climate Change in Washington, Draft Recommendations, December 2007.

b) Interpretive Trails Areas suitable for passive nature based recreational activities, such as bird watching and beach walking, will be developed with trails. Kiket has an existing rustic one-lane road that follows near the northern and southern shore. Acquiring this land will provide space for additional trail miles by converting these roads (overgrown in several locations) to fully ADA-compliant trails. Community groups (Boy Scouts, etc) regularly seek park projects and will construct new trail miles by converting the roads. Upon acquisition, State Park staff will work with the community as well as seek grants to construct trails, provide interpretative signage to explain natural process and interpret beach biology. Funding for these developments will not be part of the grant.

Washington State Parks has internal resources (Sign Shop) and expects to create interpretive signs along the new trails explaining the distinctions between habitats. Signage that highlights the sensitive nearshore habitat and cautions visitors to take care as they walk on the beach, has proven an effective tool at other State Parks.

c) Environmental Education Cornet Bay Environmental Learning Center (ELC) at Deception Pass State Park currently hosts a number of events for school-age youth. These youth attend overnight and daylong events at the ELC. The Kiket Island setting provides a distinctly different teaching opportunity with its salt-water lagoon and marine ecosystem that differs fro those found at Deception Pass. Its relatively compact size and easier access make it possible to explore a variety of ecosystems in one day than at the larger Deception Pass site. Kiket Island offers an excellent site for teaching the agency sponsored Westside Ecosystems curriculum – a weeklong field-based curriculum for agency staff, teaching about Western Washington ecological principles. It is currently taught at Deception Pass.

Washington State Parks Foundation is providing support for interpretive materials and development of the environmental education program at Kiket.

d) Cabin development Washington State Parks has yet to initiate it formal planning steps. The evaluations to-date indicate that the property can sustain public use, with parking and major facilities located on the mainland, to the east. Island facilities are best suited to public use of the existing buildings (these buildings are not a part of the CELCP grant request), trails to explore the island's interior and beach overlooks and potential sites for overnight cabins. Cabins in state parks are typically small and simple: i.e., less than 400 square feet with a simple kitchenette.

e) **Swinomish Access** Washington State Parks has invited the Swinomish Tribe to participate in program development for the property, especially regarding cultural resources, facility design, site interpretation, management and staffing. All treaty rights will be honored. Other than recreational harvesting shellfish or berries, state park regulations prohibit visitors from taking any natural resources from the beach or uplands. The tidelands area contains harvestable quantities of shellfish. Washington State Department of Fish and Wildlife regulations will determine the harvesting season and limits.

f) **Partnership Potential** Washington State Parks has a successful history of working with local partners to help explain a parks natural and cultural significance. Bringing Kiket Island into public ownership will help protect the property from incompatible development that would arise from real estate market pressures and private ownership.

Proposed long term uses compatible with ecological project. The proposed long-term use of the site—as a State Park —is compatible with the goal of protecting and conserving the high quality ecological functions of the property. State Park staff have assessed the natural resources on Kiket and Flagstaff Islands as self sustaining and able to accommodate passive recreational use. However, the public uses on the islands must be consistent with avoiding substantive changes to the property. The native vegetation on Flagstaff Island beckons the public, yet excess visitation or unconstrained visitation could severely impact

the site. Staff will manage the property to retain the natural attributes as the first priority. The resources on Kiket Island, while relatively unique, can sustain more human visitation than Flagstaff Island.

Protecting, maintaining, and improving Kiket Island's ecological, conservation, recreation, historic, and aesthetic values and balancing accessibility for recreation with habitat protection. The general management objective for the property will emphasize environmental education that incorporates public access to the site including potential overnight facilities. The table below contains a consideration of how various sites on the property could be managed by limiting access to some sensitive areas.

Kiket Island Element	Concern	Opportunity
Flagstaff Island	• sensitive upland • possible Natural Area Preserve • attractive to visitors • limit public impact	• interpret native landscape & plants • create demarcated walking trail • plant restoration if needed • partnerships with groups •
Boat house beach	• avoid all over-water development	• boater access point
Water trail site	• sensitive uplands • where to site sanitary facilities (needed since Skagit and Hope Islands are nearby?)	• On-going need for boat-in sites
Eelgrass beds	• avoid impacts	• preserve intact habitat
Shellfish harvest	• resource impact	• beds largely unused • treaty shellfish harvest for Swinomish Nation
Sewer	• learn local regulations and soil limitations	• potentially use MBR technology • explore acquiring adjacent property for additional capacity
Parking	• not a lot of land available • minimize parking in Kiket	• use electric visitor shuttles to island • if needed, explore acquiring adjacent property for parking
Available land	• current land may be too small for needs	• If needed, explore acquiring adjacent property buffer, public use or administrative uses
Archaeology and Cultural Resources	• two known midden sites • assume potential for more; need thorough site review	• learn information in advance in order to avoid inadvertent impacts • work and partner with Swinomish
Road	• Fire Marshall standards for emergency ingress/egress	
Outdoor fire risk	• Risk of uncontrolled camp fires in forest or at beach	
Experience	• islands convey a feeling that intensive uses are unwarranted	• determine amount of use appropriate on islands

(iii) Threat of Conversion (*5 of 25 points*)

Kiket Island is privately owned within the boundary of the Swinomish Reservation. The owners purchased the uplands and the tidelands, and have protected the tidelands from public access. Understanding the unique natural beauty of Kiket Island and its easy low bank access to a rich and varied shoreline, the property owners contacted Washington State Parks to offer an exclusive opportunity to purchase the property.

Current Development Pressure. The relative seclusion of Kiket Island combined with the easy access from metropolitan Seattle make the property extremely desirable for development. New luxury homes with private shorelines are in limited supply, and the local economy continues to generate a growing demand for second homes. Dense single-family residential development has transformed the shorelines surrounding Kiket Island to the north along Similk Bay, and to the South along Skagit Bay. Nearby waterfront property is developed without sewer service

Development activities cause multiple stressors on nearshore habitats, disturbing or eliminating nursery, feeding, refuge, and spawning areas. Bulkheads and other shore modifications that limit bluff erosion and coastal sediment transport have led to major changes in sediment supply and associated changes in beach and habitat stability. Cumulatively, more than 805 miles, or 34 percent, of the Puget Sound and Northern Straits shore has been modified (WDNR 2001). Bulkheads and other shore-parallel structures along coastal bluffs impound potential beach sediment, commonly bury upper beach spawning habitat and fundamentally alter the beach and backshore, resulting in a decrease in the amount of drift sediment available for maintenance of down-drift beaches. (Johannessen and MacLennan, 2007)

Non-point source pollution from development activities in the surrounding watershed adversely affects the quality of habitat in Similk and Skagit Bay. DNR eelgrass surveys show a steady decrease in eelgrass acreage in the northern area of Similk Bay. Protection of this property by removing the potential for new home sites will ensure that this stretch of Skagit Bay and the associated uplands will remain in their natural condition.

The WA State Employment Security Department reports that population growth in Skagit County is nearly 10% and greater than the statewide average of 8% (Skagit County Labor Market, 2006). Furthermore, their report states, “With the cost of living growing, Skagit County has been an attractive respite from high prices and the crowded environs of King and Snohomish counties. This will continue to be the case with residential construction expanding and commercial real estate more affordable.”

Kiket Island Development Potential Should conservation efforts fail, the subject property is highly desirable for residential development. Hundreds of single-family homes line the nearby shoreline and demonstrate the Kiket Island development potential.

Land Use Designation While within the boundaries of the Swinomish Reservation, the Kiket Island parcels are non-Indian fee land, and therefore Skagit County would be the permitting agency for residential development.

Kiket Island proper is designated as a Rural Reserve that allows:

- Maximum height: 30 feet or shall conform to the Skagit County Building Code.
- Minimum lot size: 10 acres.
- Minimum lot width: 150 feet.
- Maximum lot coverage: 35 percent
- Development Potential: 6+ additional homes

Kiket Island is surrounded by Rural Village Residential zoning, which does present a precedent to support a potential upzone. While the County and the Tribe work to coordinate zoning within the reservation boundary, Skagit County’s weak protective regulatory land use environment makes this shoreline property significantly vulnerable to development. While the Tribe has designated a portion of the Kiket Island property as Open Space and the restrictive shoreline ordinance overlays provide some protection,

the Tribe is concerned that these land-use regulations could be challenged in court due to the non-Indian fee status of the subject parcels (as they have been in the past).

Developable Area There are approximately 77 acres of developable land (Phase I and II excluding the Fidalgo island lagoon property) on the Kiket Island property. Development could put ten or more homes on the island and the adjoining upland.

Current status The Kiket Island owners plan to sell the property for highest and best use development if Washington State Parks and TPL are unable to complete the purchase by the end of 2009.

If successful, Kiket Island acquisition will reduce additional pollutant loading to Puget Sound by preventing future development of the site. Urbanization has contributed to increased nutrient loading and loading of contaminants and toxicants to waters receiving storm water runoff. Nutrients, including nitrogenous and phosphorus compounds contribute to the eutrophication of Puget Sound altering the food web and reducing biodiversity. Other pollutants common in urban storm water runoff include trace metals and polycyclic aromatic hydrocarbons (PAHs), which can be toxic to benthic invertebrates, demersal fishes, and other organisms that are exposed to elevated concentrations.

The pollutants have the potential to destroy the fragile ecosystem found at this site that supports such a wide range of species. In addition, development of this site with its critical location nearby Hope and Skagit Islands and Deception Pass State Park, would affect the ecosystems within the park boundaries. If successful, the Kiket Island acquisition will

- *Minimize nutrient loading (nitrogen and phosphorus) from urban runoff and failing or improperly managed septic systems.* Residential development would add septic systems and increase impervious surfaces on the property creating more surface water runoff. Protection of the property will eliminate the potentials for additional septic runoff, reduce the disturbance to wildlife, and keep the scenic features of the property intact. Reduced loading would reduce the cumulative effects (eutrophication) and associated adverse impacts to estuarine food web and potentially increased biological oxygen demand and depressed dissolved oxygen that aquatic biota require to survive. Controlling nutrient loading from non-point sources is part of the Final Puget Sound Salmon Recovery Plan and WRIA 3 Management Plan and will be essential to protecting and recovering the biological integrity of Puget Sound.
- *Reduce Fecal Coliform bacteria from improperly managed or malfunctioning septic systems that might adversely affect human and environmental health.* Controlling pathogenic organisms is critical to the protection of human and environmental health, which also is an element of the Final Puget Sound Salmon Recovery Plan.
- *Limit Trace metals and PAHs being introduced to the Skagit Bay estuary.* Acquisition of the property would prevent development and the associated increase in impervious surfaces, which cause increased pollutant loading into adjacent waters. Left undeveloped, Kiket Island will prevent additional contaminants from accumulating in the food chain, protecting the water quality and prey species for the aquatic biota, birds, fish, and marine mammals that feed along its shores. Controlling pollutant loading in storm water runoff is an essential component of the Final Puget Sound Salmon Recovery Plan.

(iv) **Project readiness** (*5 of 25 points*)

Phase I of the Kiket Island acquisition project will preserve 20 acres of functioning high quality nearshore habitats and 55 acres of associated uplands that are in near pristine condition. State Park ownership of the island and surrounding tidelands will ensure the property condition remains continuously capable of retaining these attributes. Kiket Island is the number one priority acquisition for Washington State Parks, and the project is well positioned for funding. There is a high likelihood that if funded with CELCP, Phase I of the Kiket Island acquisition will be completed by the end of 2009.

The Trust for Public Land (TPL) project staff have been in negotiations with the landowners for a number of months, and recently signed a time-sensitive option to purchase the property. If full funding for the first

phase is secured this year, the Trust for Public Land is prepared to purchase the entire property and convey Phase I to Washington State Parks and Recreation Commission in December 2009.

Due diligence is underway. The appraisal is being prepared in accordance with state and federal agency guidelines, and will be completed in September 2008. TPL Regional Counsel has reviewed title to the property and found no major issues hindering the acquisition. The property is not subject to litigation, liens, judgments or other situations that may postpone closing. Kiket Island is in a relatively pristine condition and is expected to be at low risk for contamination or other environmental hazards. The Phase I Environmental Site Assessment will be completed by the end of the year, well in advance of the grant performance period. Should the Environmental Site Assessment identify recognized environmental conditions on site we will have a year before closing is scheduled to address issues.

3. Overall Qualifications of Applicants *(10 points out of 110)*

(i) **Ability to acquire land** (*5 of 10 points*)

State law (RCW 79A.05.030(7)) authorizes the State Parks and Recreation Commission to acquire land. Washington State Parks has a strong record in land acquisitions, purchasing more than 8,150 acres of property with a value of nearly $27 million since January 2000 in more than 50 transactions. Washington State Parks has a staff of eight full-time staff dedicated to real estate transactions

As a land steward, Washington State Parks has a Stewardship program with scientific staff in each region with three fulltime professional biological support staff available from headquarters. With on-site staff at the adjacent park, Washington State Parks will be readily available to prevent and respond to all site management issues. The management goal for the tidelands is to retain them in their intact condition. Acquisition of the site will ensure its biological integrity. All uses will occur under the management of Washington State Parks and in cooperation with our partners; an on-site full time staff presence will quickly address any potentially detrimental site uses. Since the Kiket Island property does not have a history of public uses there is no need to alter past public behavior.

The Trust for Public Land (TPL) is a national, nonprofit, land conservation organization that conserves land for people to enjoy as parks, community gardens, historic sites, rural lands, and other natural places, ensuring livable communities for generations to come. Since the founding 35 years ago, TPL has acquired more than 2.2 million acres nationwide valued at nearly $4.6 billion dollars.

TPL Project Manager, Elizabeth Butler, brings with her 15 years of experience in community development real estate and finance. Ms. Butler's career has spanned 20 years working in the private nonprofit and public sectors. Since joining TPL, Ms. Butler has helped raise $6.5 million for a portfolio of five shoreline acquisitions around the Puget Sound. An additional $9 million in conservation grant proposals are being considered for funding in 2008.

As a member of the Alliance for Puget Sound, TPL is working to add ten new parks and open spaces along the Puget Sound shoreline in the next 3 years. TPL has been preserving Puget Sound shorelines since 1993, having added 22 new parks and natural areas totaling more than 10,000 acres. TPL is contributing over $200,000 of cash and in-kind real estate expertise including consultant contracts for appraisal, environmental assessment, stewardship endowment, and biological assessment. The Trust for Public Land is committed to facilitating the acquisition of this property to ensure it is protected and held in public ownership.

(ii) **Ability to manage land** (*5 of 10 points*)

Washington State Parks operates a statewide system of 120 parks. In total the park system contains more than 120,000 acres of land in 37 counties across the state. It employs more than 500 staff, with 80 percent located in the parks and region offices. Park rangers have law enforcement capability.

Washington State Parks is administered by the seven member Parks and Recreation Commission. The Commission provides policy guidance to the agency, including the recently adopted Natural Resource and Cultural Resources Policies, which will guide management of this property. The policies place great weight on retaining natural and cultural attributes of park sites.

The property will be owned and managed by Washington State Parks in perpetuity. Due to the short period of time since the property became available Washington State Parks has not initiated general public outreach. The property lies within the boundaries of the Swinomish Reservation, government to government communication between the Tribal Chair and Director of Washington State Parks has begun, as well as staff-to-staff communication.

Once the state acquires the property it will develop a comprehensive plan for the property using extensive public outreach program. Washington State Parks has committed to create comprehensive plans far all of the 120 parks – the addition of this property will make 121.The planning process includes at least three community meeting leading to a management and development recommendation presented to the Parks and Recreation Commission in a public meeting.

Other Pertinent Information

Photographs of the Kiket Island are included as an attachment to this proposal.

Project Timeline

If awarded the CELCP grant, Washington State Parks anticipates completing acquisition of the Kiket Island of Phase I by the end of 2009 (and Kiket Island Phase II acquisition is expected to be completed by the end of 2011). We anticipate drawing down the CELCP funds within months of contracting, well before the 18 months financial assistance period ends.

Date	Action
Winter 2007/2008	Washington State Parks and Recreation Commission prioritizes Kiket Island acquisition to expand Deception Pass State Park.
April 2008	Complete Negotiations with landowners. Option Agreement signed between owners and TPL
Spring 2008	Washington State Parks, The Trust for Public Land, and Pentec Environmental work to complete biological inventory and site assessment for grant applications.
May 2008	Washington Wildlife and Recreation Program Grant Application submitted by Washington State Parks.
July 2008	Coastal and Estuarine Land Conservation Program proposal submitted by Washington State Parks
May – October 2008	Appraisal and due diligence work for acquisition underway.
July – December 2008	Work with partners to secure acquisition funding for Phase I Kiket Island acquisition and develop a stewardship plan.
Spring - Summer 2009	Washington State Parks contract with funding agencies for acquisition dollars awarded.
December, 2009	The Trust for Public Land purchases property, and conveys Phase I to Washington State Parks.
January 2010-December 2011	Washington State Parks, The Trust for Public Land, and partners seek balance of funding needed to complete the State Park acquisition by the end of 2011.

Swinomish Indian Tribal Community[2]

For thousands of years the Swidubsh (historical spelling) ancestors lived in harmony with the earth, sea, and animals in the area now referred to as Skagit, San Juan, and Island Counties. Each family group had permanent villages and usual and accustomed areas for harvesting seafood and shellfish, gathering berries, roots, cedar, minerals, and other materials necessary for everyday life. Each group had individual and shared areas for spiritual activities. Contemporary concepts of land ownership were not recognized, though areas habitually utilized by certain groups were respected by members of other groups.

In the middle of the nineteenth century, white settlers began to arrive, claiming vast tracts of land for farms and homesteads. Responding to growing pressures the state and federal government called a meeting of local tribal leaders in Mukilteo. As a result of the meeting, the Treaty of Point Elliott was signed on January 22, 1855. The Treaty established the Swinomish Reservation as a permanent homeland for the Swinomish, Kikiallus, Samish, and Lower Skagit Tribes. These four Coast Salish speaking Tribes are now referred to as the Swinomish Indian Tribal Community or simply the Swinomish Tribe. In return for vast aboriginal lands, which stretched across the San Juan Islands and parts of Whidbey and Camano Islands and throughout the Skagit River drainage, the Tribes were promised education, monetary payments, medical assistance, and a reservation with adequate lands for their needs.

At the end of the nineteenth century, reservation land was taken out of communal tribal ownership and transferred to individual ownership. Today, the Swinomish Tribe owns approximately 4 percent of the reservation land base and approximately 2,900 acres of the tidelands around the perimeter of the reservation. Individual tribal members own 50 percent of the land base, approximately 20 percent of which is leased to non-Indians.

The Swinomish Indian Tribal Community is federally recognized and operates under Constitution and Bylaws adopted in 1936 pursuant to the Indian Reorganization Act of 1934. Tribal regulatory authority includes land use planning, environmental assessment and regulation of land, water and air resources, and sustainable reservation economic development.

The Swinomish Tribe is committed to improving the lives and well being of the tribal members through social and cultural programs, education, economic development, and resource protection. Tribal programs, such as the one that provides college tuition to graduating seniors, ensure a better life for future generations. Other innovative projects, such as the update of *Gathering of Wisdoms*, a cultural approach to mental health, are ongoing. Swinomish continues to explore cooperative relationships with adjacent jurisdictions and was recently recognized by Harvard's "Honoring Governments" program for its cooperative land use planning with Skagit County. The Swinomish tribal fisheries program is an active participant in ongoing Skagit salmon recovery programs. The Swinomish Casino and Bingo enterprise provides an important economic base for the Tribe and benefits the regional economy of Skagit County; planning is underway to expand the services and facilities available. The Tribe also continues to move forward with plans for a Marina project, which will be located at the north end of the Reservation adjacent to Highway 20. Plans for a cultural center and museum are also underway.

The Swinomish Indian Reservation located on Fidalgo Island, west of the Swinomish Channel near LaConner, Washington, is home to the Swinomish Indian Tribal Community.

A. Government-to-Government Relations between Washington State and Native Nations.[3]

There are twenty-eight federally recognized Indian Tribes in Washington State, with three Tribes' federal recognition pending. Each of the tribes is a sovereign entity under federal law with certain governmental authorities and responsibilities carried out by tribal governing bodies. Each tribe protects and manages the

[2] This section is quoted from the Swinomish Tribal Community History publication available on-line at http://www.swinomish.org/about/history/swin_experience/index.html

[3] This and following section excerpted from Dept of Ecology CZM Plan: Managing Washington's Coast

health, safety, and general welfare of its citizens, lands, and treaty-reserved fish, water, and wildlife resources. Each tribe has its own goals and policies that relate to its people and its geographic region.

In 1989, Governor Booth Gardner and the Washington tribes signed the Centennial Accord, establishing state policy for executive branch agencies to work with the tribes on a government-to-government basis on issues of mutual concern. A decade later, Governor Gary Locke and Attorney General Christine Gregoire joined tribal chairs from throughout the state and signed an "Agreement to Institutionalize the Government-to-Government Relationship in Preparation for the New Millennium." This agreement affirms the 1989 Centennial Accord and emphasizes the importance of making the Accord a part of tribal and non-tribal people's every day lives. Early in the new Millennium, western Washington tribes and the State began discussions focused on cooperative working relationships in the area of water quality and environmental protection. The State committed to working with the tribes on a government-to-government basis.

B. Treaties

There are twenty-one tribes in Washington with recognized treaty-reserved rights to fish (including hatchery fish), hunt, and gather natural resources. Under the U.S. Constitution, these treaties represent the supreme law of the land (Stevens Treaties). The State is bound by these treaties, and must hold them paramount against other relevant state law. The State may not infringe the tribes' rights by qualifying or subordinating them to other state objectives or policies.

In negotiating the Stevens Treaties, the tribes reserved the exclusive right to fish within the reservations' exterior boundaries and the right to fish off-reservation at all usual and accustomed fishing grounds. In addition to salmonids, the word "fish" also includes hatchery fish, herring, halibut and shellfish. This right is in contrast to the privilege that the State may grant to other citizens and residents of Washington and limit or withdraw to protect state interests or treaty fishing rights.

Over the last few decades, U.S. federal court decisions have settled state-tribal disputes over the rights to the steelhead and salmon harvested in Washington waters (e.g., major rivers, Puget Sound and ocean waters immediately off the coast). Consequently, the tribes have federally insured treaty rights, older than the state itself, to approximately half of the annual salmon harvest. A recent court ruling has resulted in a similar allocation of shellfish for Indian tribes in Washington.

Washington has an affirmative obligation to honor the Indian tribal rights secured by treaties with the United States. This duty extends beyond ensuring the viability or genetic diversity of salmonid species to providing an adequate harvest that meets tribal needs. Absent tribal consent, the State cannot impair or restrict treaty reserved rights, without explicit consent by Congress or a finding by a federal court that it is necessary to preserve the resource, i.e., to perpetuate the fisheries species.

Washington recognizes that fundamental to the right or privilege to take fish, is that there are enough healthy fish to be taken.

Historically, natural resources have been a mainstay of the state's economy. Among Washington Indian tribes, fishing and hunting and gathering of natural resources have been central activities for thousands of years. They remain important to tribes for subsistence, as well as economic and ceremonial purposes. Today, fish and shellfish harvested by Washington's Indian tribes are in great demand, in both domestic and foreign markets. In 1997, timber harvest and tribal salmon fishing were valued at $71.2 million and $6.8 million. With all of the federally recognized Indian tribes living on either major rivers or coastal waters, fisheries remain critically important to tribal economies.

Unfortunately, an alarming decline in many of Washington's fish stocks, particularly salmon, has hurt some tribal economies. To compensate for this loss, a number of tribes have turned to harvesting shellfish as a major economic resource. In recent years, the value of tribal shellfish harvest has outpaced that of salmon.

4. Project Costs *(20 points out of 110)*

Kiket Island Acquisition

Project Budget and Justification of Proposed Costs

BUDGET NARRATIVE

Federal share:

Washington State Parks seeks $3,000,000 in CELCP funding to acquire 55 acres in fee simple property to be held in perpetuity and to expand Deception Pass State Park. The total budget for Kiket Island Phase I exceeds the CELCP 1:1 match requirement, and CELCP dollars will be used exclusively for the land purchase.

Kiket Island is an extremely valuable property, and the purchase price for Phase I is anticipated to be as high as $8.5 million dollars. The purchase price will be based on the Fair Market Value as determined by an appraisal completed in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP) and also the federal Yellow Book standard. The appraisal will be completed in September of 2008, and will contain detailed discussions of the data, reasoning and analysis that will be used in the appraisal process.

The Kiket Island acquisition is the number one priority acquisition for Washington State Parks, and they have allocated $2,500,000 of their acquisition funds towards this purchase. Working together the Trust for Public Land and Washington State Parks are pursuing every funding source available and TPL is initiating Puget Sound shorelines capital campaign to help supplement the acquisition budget. The size of the first phase of Kiket Island acquisition can be increased or decreased, if more or less funding becomes available during this first round of funding.

Non-Federal Matching Funds:

CELCP Match commitments are $3,035,500.00.00, exceeding the 1:1 requirement, and have not been used previously for any other project or Federal fund source.

Washington State Parks is planning to match CELCP funds with $3,010,000.00 cash from the Washington Wildlife and Recreation Program (WWRP) categories are Washington State Parks and Riparian Accounts. These funding applications have been submitted and project rankings will be complete in September. Funding decisions will be made by the end of the year as a part of the State Budget process, and if awarded, funds will be available as early as October 2009.

Additional in-kind contributions include:
The Trust for Public Land is contributing in excess of $25,500.00 of acquisition-related expenses including the appraisal, Survey, and Title Commitment.

Other:

Will the property be leased or rented? (for example, if already subject to a term lease). If so, please explain how revenues will be used in support of the project. No.

Will the public be charged a user fee for access to or activities on the proposed property? No.

If so, please explain how revenues will be used in support of the project.

Has the proposed project been submitted to or is it currently under consideration by other programs for funding? X Yes ___No.

Washington State Parks is pursuing:

- A $1,000,000.00 grant from United States Fish and Wildlife Service (USFWS) FY2009 National Coastal Wetlands Conservation Program towards the Phase I acquisition, but this funding is not used to meet state/local CELCP match requirements.

- An additional $1,500,000 in state WWRP funding. If successful, funds will be available in October 2009.
- None of the funding requested from other programs duplicates the funding requested under CELCP.

Budget Overview Table

If the total cost of the project is greater than the requested CELCP funding (plus required matching funds), please identify the costs associated the full project, including funding from other sources. Otherwise, please fill out only the CELCP budget table.

Category	**Amount** ***(Note if cash or in-kind value of land/ services)***	**Funding Source(s)** ***(Include information from all contributors to the project)***	**Funds Already Expended?** ***(yes/no) If so, when?***
Land	$8,500,000	CELCP, WWRP Washington State Parks, WWRP Riparian, NCWCG	No, December 2009
Appraisal	$20,000	TPL	No, August 2008
Biological Assessment	$19,400	TPL and Pentec Environmental	Yes, May 2008
Phase I Environmental Site Assessment	$4,500	TPL	No, September 2008
Environmental Education	$15,500	WSPRF & WSU Beach Watchers	No, 2010 post acquisition
Survey	$5,000.00	TPL	No, Fall 2009
Title Opinion	$500	TPL	No, December 2009
WA DOE Grant Admin Costs	$10,000	CELCP	
TOTAL Cost:	$8,574,900		

CELCP Budget Table

Please identify the costs associated only with requested CELCP funding and required matching funds.

Category	**Federal Share from CELCP**	**State/Local Matching Share**	**Total**	**Funding Source (for Non-Federal share)** ***- Note whether funding is from cash or in-kind value of land or services***	**Funds Already Expended? When?**
Land Acquisition	$2,990,000	$3,010,000	$6,000,000	Cash -- Washington Wildlife and Recreation Program – State and Riparian Account	No, December 2009
Appraisal		$20,000	$20,000	In-Kind -- TPL	Yes, May 2008
Title Opinion		$500	$500	In-Kind -- TPL	No, December 2008
Survey		$5,000	$5,000	In-Kind -- TPL	No, January 2010
WA DOE Grant Admin.	$10,000	0	$10,000		
TOTAL:	$3,000,000	$3,035,500	$6,035,5000		

OMB Control # 0648 -0459
Expires 4/30/2009

Appendix D: Project Application Checklist

The project applicant must complete and sign this Project Checklist and submit it to the National Oceanic and Atmospheric Administration, along with the other required application materials.

NO

Applicant and Project Information

1. State: Washington **Award Number: [provided by NOAA]**

2. Project Title: Kiket Island Phase I Acquisition: Deception Pass State Park Expansion

3. Project Location (Approximate): La Conner, Skagit County, Snee-oosh Rd. Congressional District 2

4. Project Proponent/Applicant Washington State Parks and Recreation Commission

5. Total Cost: $8,574,900.00 **CELCP Federal share (requested amt)**: $3,000,000
CELCP State/Local Match Contributions: $ 3,035,500
Other Federal $1,000,000
Other Non-Federal $1,539,400

I ATTEST THAT THE STATEMENTS MADE AND OTHER INFORMATION PROVIDED IN THIS CHECKLIST ARE, TO THE BEST OF MY KNOWLEDGE, TRUE AND ACCURATE.

_____

Signature of Applicant Date

Name of Signatory (please print or type): Larry Fairleigh

Title: Assistant Director, Park Development Service Center

Address: 7150 Cleanwater Lane, P.O. Box 42650, Olympia, WA 98504-2650

Phone Number: (360) 902-8629 E-mail larry.fairleigh@parks.wa.gov

Eligibility of Project

6. Project Eligibility: (Check all that apply)

The proposed project:

_X_ is located in a coastal or estuarine area (that has been designated as part of a state's approved coastal and estuarine land conservation (CELC) plan or within a state's coastal watershed boundary);

_X_ matches federal funds with non-federal funds at a ratio of at least 1:1;

_X_ will be held in public ownership and provide conservation in perpetuity;

_X_ will provide for access to the general public, or other public benefit, as appropriate and consistent with resource protection.

_X_ protects important coastal and estuarine areas that have significant conservation, ecological, historical, aesthetic, or recreation values, or that are threatened by conversion from their natural or recreational state to other uses;

_X_ can be effectively managed and protected;

_X_ directly advances the goals, objectives or implementation of state coastal management plan or program or NERR management plan approved under the Coastal Zone Management Act (CZMA), national objectives of the CZMA, or a local, regional or state watershed protection plan involving coastal states with approved coastal management programs

_X_ is consistent with the state's approved coastal management program.

Land Acquisition:

7. Location and Site Maps: Site location maps are attached. __X__ Yes _____ No

The applicant should attach a map of the state or coastal county showing the general location of the project, and a map of the project site, which shows the location and extent of the proposed acquisition, as well as relationship to significant natural features (slope, wetlands, dunes, floodplains, access, etc.).

8. Title Opinion and Appraisal:

a. Documentation of the current owner's intent or willingness to sell at a mutually agreeable price is attached. (This documentation may be in the form of a letter of intent, option letter, contract, or similar form.) __ __ Yes ___X__ No
The Trust for Public Land holds a confidential option to purchase the property from the owners.

b. The applicant has obtained and attached an independent appraisal performed by a state certified appraiser. _____ Yes __X__ No *(The appraisal is underway and expected to be completes in September 2008)*

c. A title opinion or title insurance report is attached. __ __ Yes __X___ No

9. Public Benefit:

a. The acquisition will be publicly held or under publicly-controlled easement and is for public benefit. The project does not improve private property for private or commercial gain.
__X__ Yes _____ No

b. The property will be accessible to the general public. __X__ Yes _____ No

c. If the answer to the question above (9.b) is No, check any of the following reasons that apply and explain why access to the property will be limited.

_____ Public Safety _____ Resource Protection _____ Geographically Isolated/Inaccessible

_____ School Outings Only _____ Scientific Research _____ Other (please explain): _____

d. The property will be leased or rented. ____ Yes __X__ No If yes, please explain.

e. The public will be charged a user fee for access to or activities on the proposed property.
_____ Yes _**X**__ No

If Yes, provide a description of the user fee which includes: how much, differential fees (if any), the need for the fees, and proposed use of the revenue.

Compliance with Other Federal Authorities

10. State Historic Preservation Officer's (SHPO's) Clearance and National Historic Preservation Act:

a. The project will affect properties listed on the National Register of Historic Places (www.cr.nps.gov/nr/), eligible to be listed, or otherwise protected by section 106 of the National Historic Preservation Act (www2.cr.nps.gov/laws/NHPA1966.htm) or a similar State Preservation Act. _____ Yes _**X**___ No

b. The Recipient has on file the SHPO's clearance. _____ Yes __**X**_ No (If No, the Recipient certifies, by signing this checklist, that the SHPO clearance is being sought and that work will not begin and land will not be purchased until SHPO clearance is received by the Recipient.)

11. National Flood Insurance Program:

a. Is the project located in a designated special flood hazard area, floodway or "V" zone on a National Flood Insurance Program Floodway Map (www.fema.gov/maps)? ____ Yes **X**__ No (If No, go to 11)

b. Is the community in which the project is located in special flood hazard areas shown on an FIA map is participating in the Flood Insurance Program (www.fema.gov/nfip). _____ Yes _**X**_ No

12. Coastal Barriers Resource Act: The project is located on an undeveloped coastal barrier designated by the Coastal Barriers Resources Act (www.fws.gov/cep/cbrunits.html).
_____ Yes ___X__ No

If the answer is Yes, provide a brief statement below or attach to this checklist a brief analysis as to how the proposed project is consistent with the three CBRA purposes: to minimize (1) the loss of human life, (2) wasteful federal expenditures, and (3) damage to fish, wildlife and other natural resources.

13. Endangered Species Act: May the proposed project adversely affect threatened or endangered species or critical habitat under the jurisdiction of the National Marine Fisheries Service (NMFS) or U.S. Fish and Wildlife Service (USFWS) as defined by the Endangered Species Act? (www.fws.gov/endangered) or (www.nmfs.noaa.gov/pr/species).
_____ Yes __X__ No

If the answer is No, provide a brief statement below explaining the basis for the conclusion. If the answer to 12 is Yes, provide a description of the adverse effects (minor and significant effects), the species or habitat affected, and any coordination between the state and the USFWS or NMFS. OCRM will not approve a project that USFWS or NMFS has determined will significantly adversely affect threatened or endangered species or critical habitat.

Kiket Island acquisition will protect land and associated nearshore areas that are important for salmon recovery. Washington State Parks is committed to developing sites using the least impacting means. The Natural Resources and Cultural Resources Policies provide guidance, as does the state's Sound Friendly program. Examples of this approach include using state-of-the art sewage disposal systems near aquatic settings. These systems produce far cleaner wastewater than conventional systems. Storm water management uses the highest standards in Puget Sound. Facilities build meet at least the LEED Silver standard.

14. Magnuson-Stevens Fishery Conservation and Management Act.

Does the proposed project include essential fish habitat for federally managed fish?
_**X**_ Yes ____ No ____ Not yet determined (please explain).

Could the proposed project have significant adverse impacts on essential fish habitat for federally managed fish? _____ Yes _**X**__ No

15. National Environmental Policy Act:

a. The proposed project may significantly affect the human environment.
_____ Yes __X__ No

b. The proposed project involves unresolved conflicts concerning alternative uses of available resources.
_____ Yes __X__ No

c. This action would have significant adverse effects on public health and safety.
_____ Yes __X___ No

d. This action will have highly controversial environmental effects. ____Yes __X__ No

e. This action will have highly uncertain environmental effects or involve unique or unknown environmental impacts. _____ Yes __X__ No

f. The project will have significant adverse impacts on other natural resources not covered elsewhere in this checklist, e.g., beaches and dunes, wetlands, estuarine areas, wildlife habitat, wild or scenic rivers, reefs, or other coastal resources. _____ Yes __X__ No

g. The project will have insignificant effects when performed separately, but will have significant cumulative effects. _____ Yes __X__ No

If the answer to any one subpart of 13. is Yes, then an Environmental Assessment (EA) or Environmental Impact Statement (EIS) may be required. For items answered Yes, please attach a description of the resource(s) affected and the nature and scope of the effects.

16. Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970. If the proposed project involves the acquisition and/or modernization of real property, will the proposed project cause the displacement of:

Persons, _____ Yes __X_ No
Businesses, or _____ Yes __X_ No
Farm Operations? _____ Yes __X_ No

If yes to any of the above, please explain: the number of displaced persons, including businesses and farm operations; what fair and reasonable relocation payments and advisory services will be provided to any displaced persons; and what provisions will be made to ensure that safe, decent, and sanitary replacement dwellings will be available to such persons within a reasonable period of time prior to displacement.

17. Handicapped accessibility: Will the proposed project be handicapped accessible?
__X__ Yes _____ No _____ N/A

If No or N/A, provide a brief explanation below (or attach separately) as to why the project does is not required to meet ADA handicapped accessibility requirements.

Washington State Parks fully compiles with the Americans with Disabilities Act. In 2007 three training sessions were sponsored within Washington State Parks to train staff on the ADA requirements and how we meet them. Two staff experts are available to respond to inquiries and a sister recreation agency has one full-time position to serve as a resource.

18. Environmental Justice. Will the project have disproportionately high and adverse human health or environmental effects on minority or low-income populations? _____ Yes __X__ No

19. State, Local and Tribal Laws. The project is consistent with state, local and tribal laws to protect the environment. __X__ Yes _____ No

20. Contamination/Environmental Hazards (CERCLA/RCRA)

a. Are there any known or suspected contaminants on the project site? _____ Yes __X__ No

If yes, please discuss what type of contamination is on the site, or suspected to be on the site, and the status of clean-up activities.

b. Has the site been investigated, identified and/or designated as having hazardous waste contamination issues by a federal, state, or local agency (for example superfund site)?
_____ Yes __X__ No

If yes, please explain the basis for the designation, the status of clean-up activities, and whether there are any legal liens or judgments affecting the property.

21. Public Coordination

Has the project for which you propose to use CELCP funds been subject to public scrutiny and coordination through a public notice or other public review process? __**X**__Yes _____No

If "yes", please describe the results of that process and note when the coordination occurred.
If "no", please explain.

The Washington State Parks and Recreation Commission must approve any acquisition in advance. Prior to seeking Commission approval, staff prepares a decision document containing a recommendation. At least two weeks in advance of the Commission action, the public is notified via a mailing that the action has been proposed. The public then has a chance to speak with the Commission at its meeting or send written comments. Considering all public testimony, the Commission then makes its decision. The Commission approved acquisition of the Kiket Island property in November 2007.

NOAA is requesting this information in order to adequately assess the eligibility of proposed projects. Public reporting burden for this collection of information is estimated to average ten hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Elaine Vaudreuil, OCRM, 1305 East-West Hwy (N/ORM7), Silver Spring, Maryland 20910. This reporting is authorized under P.L. 107-77 and has been approved under OMB #0000-0000. Information submitted will be treated as public record. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection displays a currently valid OMB Control Number.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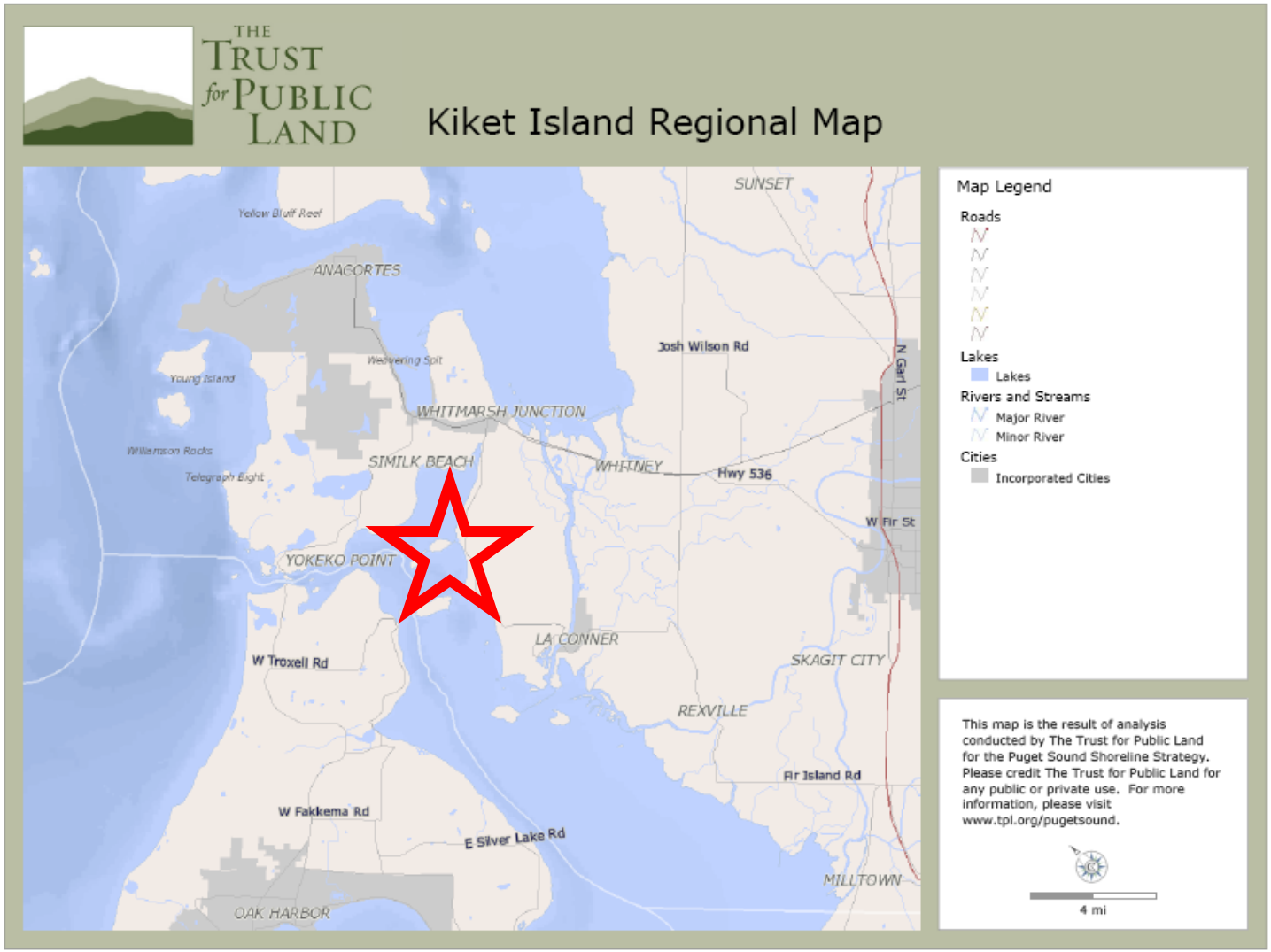
THE TRUST for PUBLIC LAND
Kiket Island Regional Map
Yellow Bluff Reef
ANACORTES
SUNSET
Josh Wilson Rd
N Garl St
Weavering Spit
Young Island
WHITMARSH JUNCTION
Williamson Rocks
Telegraph Bight
SIMILK BEACH
WHITNEY
Hwy 536
W Fir St
YOKEKO POINT
LA CONNER
W Troxell Rd
SKAGIT CITY
REXVILLE
Fir Island Rd
W Fakkema Rd
E Silver Lake Rd
MILLTOWN
OAK HARBOR
Map Legend
Roads
Lakes
Lakes
Rivers and Streams
Major River
Minor River
Cities
Incorporated Cities
This map is the result of analysis conducted by The Trust for Public Land for the Puget Sound Shoreline Strategy. Please credit The Trust for Public Land for any public or private use. For more information, please visit www.tpl.org/pugetsound.
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Kiket Island, Washington

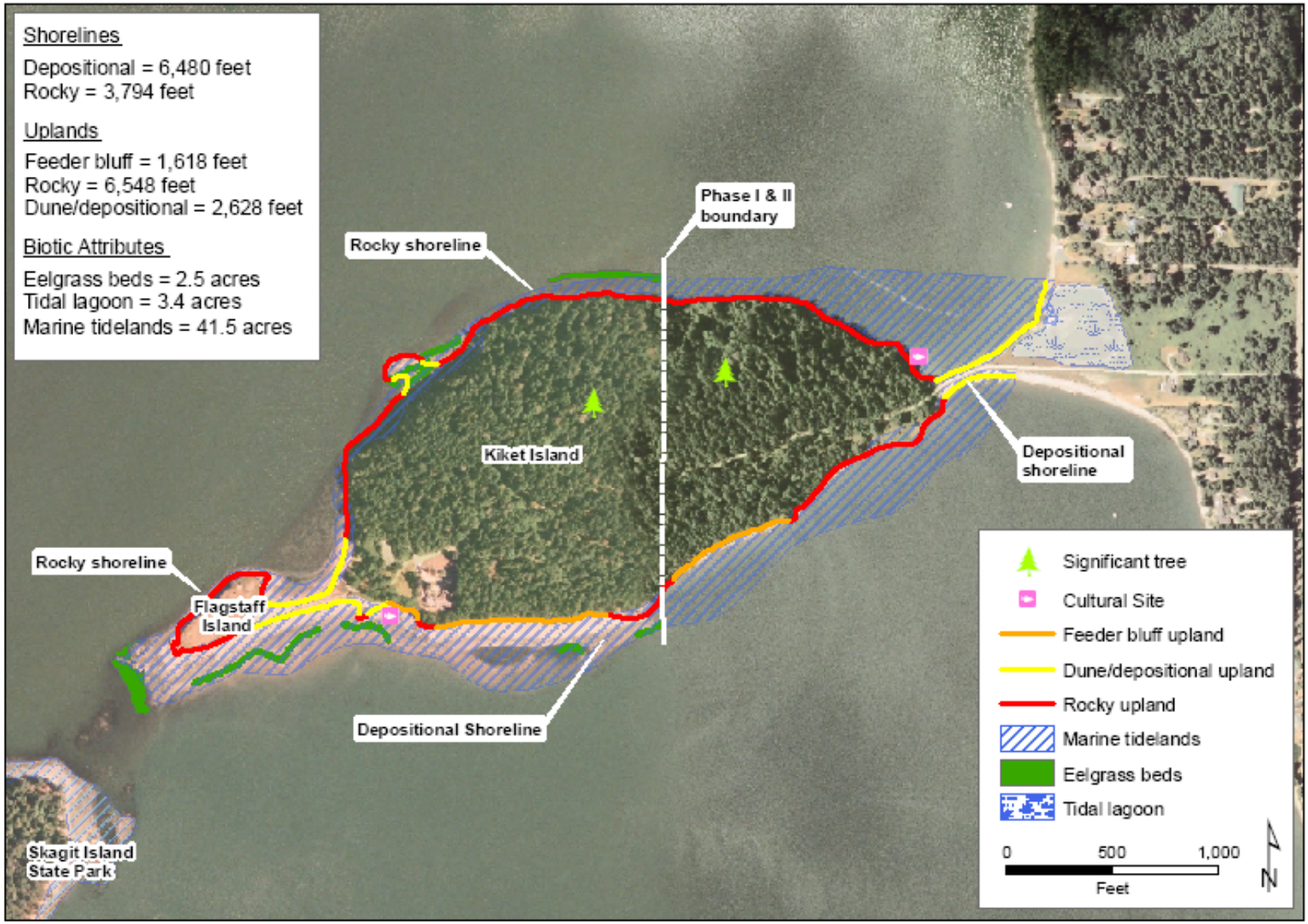
Phase I - Coastal and Estuarine Land Conservation Program

Kiket Island, Washington

Planned Two Phase Acquisition

Kiket Island, Washington

Shoreline and Aquatic Habitat Attributes



Kike
Was